

No. XLVIII.—RAMKRISHNA SADASHIV STATES ON SOLEMN  
AFFIRMATION:

EXAMINATION-IN-CHIEF

BY MR. SCOBLE.—My name is Ramkrishna Sadashiv, commonly called Bhau Poonekar. I have been a resident of Baroda for about 30 years. I am now employed on behalf of Mr. Hope in regard to Mir Zulfikar Ali's business. Mir Zulfikar is son of Jafir Ali, who was Nawab of Surat. Mir Zulfikar is a minor and a ward of the British Government. He has estates in the Baroda territory. I have other business also. I do business for a number of Saukars (traders) and Sirdars (men of rank) as agent. I knew Colonel Phayre. The Diwan, Nana Saheb Khanvelkar, introduced me to him. I used to go to see Colonel Phayre so long as he was Resident at Baroda. I had a letter from Mr. Hope to enable me to go to Colonel Phayre in connection with Mir Zulfikar Ali's case, which was going on at Surat. I saw Colonel Phayre on that business. I may sometimes have seen him on other business. I lived in the city in Ranpura. I told him what I knew of the talk of the city sometimes when he asked me when he returned from his walks. I used to go to see Colonel Phayre at 10 or 11 o'clock in the morning. I never received any payment for any information which I gave to Colonel Phayre—nothing. I remember hearing of the attempt to poison Colonel Phayre on the 9th November. I did not hear it that day, but on the next day at 10 or 11 o'clock, when I went to the Residency. I heard of it from Colonel Phayre. I gave some information to Colonel Phayre on the 2nd or 3rd day after the day Colonel Phayre mentioned the matter to me. A man named Balvantrao came to the Residency. He said he had heard there were three things mixed in the poison given to Colonel Phayre. He mentioned copper-powder and arsenic  
\* (Chota chota hira ke bhaki or and diamond sand.\* I informed Colonel Phayre, reti.) taking Balvant Rao with me. I introduced him to Colonel Phayre. Balvant Rao told Colonel Phayre that he had heard it contained diamond-powder or sand, arsenic, and copper-powder. Balvant Rao is a Karkoon under Bapu Saheb, a son of a kept mistress of Khanderao Maharaj, and he used to come to the Residency. Balvant Rao said this at the Resident's Office, where Colonel Phayre was in the habit of sitting.

CROSS-EXAMINATION BY SERJEANT BALLANTINE.—I remember the Commission enquiry held by General Meade. Q.—Did you get up cases against the Gaekwar? A.—I was obliged to do what the rights of parties demanded. In cases where people were deprived of their rights, it was against the Gaekwar. The 2 or 4 cases which I conducted\* may be called against the Gaekwar, since money was due from the Gaekwar. I did not do anything to cause injury to the Gaekwar. What do you mean by calling it against the Gaekwar? Colonel Phayre must have known I had conducted these cases. I used to go to him daily, and do so now. I was in the habit of telling him things, but got no money for so doing. Many persons used to give him information. He listened not only to me, sometimes he heard something when he was out, and on his return asked me, and I told him what I knew. The other informants were not employed by me. The Saheb met people when out walking. I don't remember if it was me who told him about a kharita about to be sent to the Viceroy. The Maharaja sent a number of kharitas. I don't remember if I informed about the kharita asking for removal of Colonel Phayre. I swear I did not know it.

\* Q.—Did you hear from Bhau Poonekar that a kharita of the 2nd November was about to be sent in to the Government?  
A.—I did.

*Serjeant Ballantine reads from English notes\*  
of Colonel Phayre's evidence.*

Q.—Colonel Phayre says it was you who told him? A.—I don't remember mentioning that kharita to Colonel Phayre. If I had received information about any such letter being written, I did inform him, but how could I

know the substance. People talked about the Durbar's consultations, and I heard them. I know all the Baroda people. I know Salam only, because he came to the Residency. I did not go to the palace to see him. I have been to the palace, but not since Colonel Meade's Commission. I know Damodhar Punt by sight. Bapu Saheb is son of Khanderao's kept mistress. He did not claim the throne, but a *nemnook* (allowance). He claims nothing but that. I was kept in surveillance in connection with an alleged offer of a bribe by Bhau Sindia to Captain Salmon, in which affair Bhau Saheb has been dismissed by the English Government. There was no charge against me.

BARODA; }  
March 11th, 1875. }

(Sd.) JOHN JARDINE,  
Secretary to the Commissioners.

#### NO. XLIX.—JAMES BELLIOU RICHEY STATES ON OATH:

##### EXAMINATION-IN-CHIEF

BY MR. INVERARITY.—My name is James Belliot Richey. I am Assistant to the Governor-General's Agent at Baroda. I am a Member of the Bombay Civil Service. I remember Damodhar Punt being examined by me on the 29th January, and also on the 30th January. He made his statement in Maratha. I understand Maratha pretty well. As he gave it in Maratha, I took it down in English, a Native Assistant, Manibhai, interpreting it into English too as he stated it. I know enough of Maratha to know whether the interpretation was correct. I took down correctly what Damodhar said. I wrote down as graphically as I could from his mouth, and made corrections afterwards. His statement was also taken down in Maratha at the same time. I have here the statements, in English, of the 29th and 30th. They bear my signature, and are the whole in my hand-writing. I don't think I was present when they were read over to Damodhar. I may have been.

Witness looks at documents.

(SERJEANT BALLANTINE OBJECTS TO MR. INVERARITY'S PROPOSAL TO PUT IN THE STATEMENTS. THE PRESIDENT RULES THAT AS THE INDIAN EVIDENCE ACT MAKES ADMISSIBLE SUCH A STATEMENT "IF MADE BEFORE A PERSON COMPETENT TO INVESTIGATE IT," IT IS ADMISSIBLE, MR. RICHEY BEING SUCH A PERSON. ALSO ON PRINCIPLE.)

THEY ARE RECORDED AS B 2 AND C 2.

CROSS-EXAMINATION BY SERJEANT BALLANTINE.—Damodhar Punt is not now under my charge. He is under Mr. Souter's charge. I don't know in whose actual custody he is.

BARODA; }  
March 11th, 1875. }

(Sd.) JOHN JARDINE,  
Secretary to the Commissioners.

#### NO. L.—COLONEL R. PHAYRE RECALLED.

BY SERJEANT BALLANTINE.—I have got the original document to which I referred when my examination was postponed.

WHEN CALLED ON TO PRODUCE, COLONEL PHAYRE ASKS IF HE HAS PERMISSION TO DO SO, AS IT IS A GOVERNMENT DOCUMENT.

THE PRESIDENT RULES THAT THE PERMISSION IS NOT TO BE ASKED, THE PRODUCTION OR NON-PRODUCTION RESTING WITH COLONEL PHAYRE AND THE ADVOCATE-GENERAL. COLONEL PHAYRE REFUSES TO PRODUCE IT.

I will not produce it then, but I will answer questions about it. (*Serjeant Ballantine reads.*) Is this here? (quotes). There are important omissions. There are two more paragraphs.

Your cross-examination was postponed for the purpose of allowing you to get the original of a document to which I referred in the course of my cross-examination?—Yes.

Have you got that original?—Yes.

Will you be good enough to produce it?

SERJEANT BALLANTINE.—The date of the Resolution I refer to is 4th May 1872?—It is dated the 7th May, and must have been altered to 4th May.

But the number is 1,023?—It is 1,233 A.

Very well. Will you hand it to me?

COLONEL PHAYRE [TO THE PRESIDENT.]—My Lord, this is a Government document. Shall I produce it?

THE PRESIDENT.—It is not for me to say.

COLONEL PHAYRE.—Then, if I have the permission of the Court, I shall.

THE PRESIDENT.—I give no permission, one way or another. I leave the matter to be settled by you and the Advocate-General. But I understood the other day from the Advocate-General that it was not available for use.

COLONEL PHAYRE.—Exactly. Then, if your Lordship leaves the option to me, I think it would be better not to produce it. [To Serjeant Ballantine]—I will give you any information or answer any question regarding this document, but I decline to give it up.

SERJEANT BALLANTINE.—Then I understand you to decline to produce this document? I decline to put the document into Court, although, as I have said, I will answer any questions regarding it.

Do I understand you to decline to produce the document?—I do.

Then, I must just ask you whether this which I hold in my hand is a substantially correct copy of the document. Reads—

“No frauds having been shown to have been committed, it only remains to consider Colonel Phayre’s proceedings in this case, and it is with extreme regret that His Excellency in Council is obliged to record his unqualified condemnation of them.”

Is that correct?

COLONEL PHAYRE.—Important omissions have been made before that.

But is that substantially a representation of the original document?—I cannot say it is a true representation of the original document.

Then do these words occur in the original?—They do.

*Serjeant Ballantine reads—*

“It would seem that Colonel Phayre not only instituted the prosecution of these men prematurely before the accounts had been thoroughly sifted, but that he persisted in doing so against the advice of the Commissioner in Sind to stay proceedings, and after he had been warned by Sir W. Merewether that the accounts disclosed no frauds.”

Is that substantially correct?



COLONEL PHAYRE.—That comes in after a most important omission from the original document.

SERGEANT BALLANTINE.—Then, I shall leave you to supplement it, if you like. You know it is not my fault. [Reads.]

“Throughout this matter His Excellency in Council has no doubt that Colonel Phayre believed that great frauds had been committed, and that he considered the measures he took were necessary to enable him to remove a gigantic system of chicanery which he imagined was being carried on to the detriment of the State; but it must be admitted that he has displayed great ignorance of matters with which as Superintendent of Frontier Districts he might have been expected to have some acquaintance, and that he has been singularly hasty and indiscreet in applying to a criminal tribunal before the accounts, which he held to be suspicious, had been thoroughly examined by competent persons.”

COLONEL PHAYRE.—That also comes in after an important omission.

*Serjeant Ballantine reads—*

“Moreover, in neglecting the advice and warnings of his immediate superior, the Commissioner in Sind, and persisting in a course which he knew to be opposed to the views of that Officer, he has laid himself open to very great censure. Zeal and honest intentions are not alone sufficient in a public servant. There must be skill, discretion, and proper subordination. In all these points Colonel Phayre must be held to have been signally wanting in this instance. The attitude which Colonel Phayre has assumed with regard to the Commissioner in Sind in connection with the Khelat affairs has led to his temporary removal from his appointment at Jacobabad; and His Excellency in Council with much regret is compelled to observe that the facts disclosed by these papers render it expedient that he should not be allowed to resume office as Political Superintendent of Upper Frontier.”

COLONEL PHAYRE.—There are two more paragraphs.

THE ADVOCATE-GENERAL.—Of course my learned friend undertakes to prove all this.

*Serjeant Ballantine said he did not intend to do so.*

*The President thought it unnecessary to do as the Advocate-General suggested, because the parts read had been so far proved by Colonel Phayre himself, while what Colonel Phayre had said about the “important omissions” would appear on the record.*

At the last Commission there was a Borah case, perhaps Nurudin's it may have been, in which some one was fined by the Gaekwar in connection with a flogging case.

(SERJEANT BALLANTINE SAYS HE HAS NO OBJECTION TO THE OMITTED PARAGRAPHS OF THE GOVERNMENT RESOLUTION JUST READ BEING PUT IN PUBLICLY OR PRIVATELY.)

The Borah, Nurudin, or whoever it was I am not certain, made the complaint against the Gaekwar.

RE-EXAMINATION BY MR. SCOBLE.—The passages just read to me are extracts from a Government Resolution. The original contains important passages omitted by Serjeant Ballantine. The date is the 7th May altered to the 4th May. At that time I was in England in 1872. These matters had been under discussion for a long time; but before that Resolution issued, I was not called upon for any special explanation. There was a long correspondence. On my return from England in November 1872 I was furnished with a copy of that Resolution, on my own application to Government. It had not been furnished to me in the ordinary course of business. I heard of

it casually. I furnished full explanations in two statements of the 24th and 14th November 1872, and thereupon a Resolution of Government was passed exonerating me from the censures contained in the extracts of the Resolution read. That Resolution of the 4th May had nothing to do with my not joining my appointment in Sind. From the date I arrived in India from England I received the same pay as I drew in Upper Sind, until the date of my joining at Baroda. My appointment at Baroda was superior in emolument to the one I had in Sind, and is reckoned to be of superior importance. The document of the 4th May is certainly not a document which would be communicated to the Gaekwar or any Native Prince in the ordinary course of business.

By SERJEANT BALLANTINE.—The Borah I refer to is a medicine-seller, who took an affirmation before me in January 1874.

BARODA, }  
March 11th, 1875.

(Sd.) JOHN JARDINE,  
Secretary to the Commissioners.

No. LI.—ABDUL ALI STATES ON SOLEMN AFFIRMATION:

EXAMINATION-IN-CHIEF

By MR. INVERARITY.—I am Khan Bahadur Abdul Ali. I am employed as Inspector of Detective Police, Bombay. In December 9th last I came here with Mr. Souter, and have ever since been here assisting him in investigating this case.

(No cross-examination is desired.)

BARODA, }  
March 11th, 1875.

(Sd.) JOHN JARDINE,  
Secretary to the Commissioners.

No. LII.—GAJANAND STATES ON SOLEMN AFFIRMATION:

EXAMINATION-IN-CHIEF

By MR. SCOBLE.—Gajanand is my name, and Vithal my father's name. I have got the title of Rao Bahadur. I am 1st Class Police Inspector at Ahmedabad. I have been employed on special duty under Mr. Souter in investigating this case. I came to Baroda on the 10th December and remained here ever since, except visits for a day or two to Ahmedabad. I remember the day the Gaekwar was put in arrest; on that day I went to the Haveli with Captain Jackson about 9 o'clock in the morning or 8 o'clock. All round the Haveli I stationed sentries; then wherever there was property belonging to the Gaekwar we sealed them up. Among these was the jewel-room (Javerkhana), the private treasury, and the accounts and papers of the Khangi (private) department. The accounts and papers were attached and sealed. I think Captain Jackson was present. Perhaps Damodhar Punt, but I don't remember. Those papers remained under seal for 2 or 3 days, when they were brought up, i. e., some of them to the Residency, others such as old private papers are under seal still at the Haveli. The dufter was sent to the Residency and placed in a tent under a police guard. The seals were broken in my presence. I don't remember the day. The Khangi Karkoon was present. Mr. Souter was not, but he came after. Balvant Rao and Madhav Rao of the Khangi Department

\* Exhibits UI, VI, WI, and XI shown to witness.

were present. I don't remember if any others were. The four papers\* shewn me were among the papers when the seals were broken. When they were taken out of the dufter,

the inky spatches now on them were on them, and it was, therefore, they were shewn Mr. Souter. I remember Damodhar Punt being arrested. I first saw him after his arrest 15 or 20 days after, and I then had some talk with him. I said to him, "If you give a correct statement, if you tell all of it, then Colonel Pelly will give you a pardon." I shewed him a section of the Criminal Procedure Code regarding the grant of pardon, in order that he might know all about it. I also said, "Nanaji Vithal and others have acknowledged." Afterwards Nanaji Vithal was made to stand outside the tent, and he said, "I have declared everything that is true." Nanaji said nothing but this. Damodhar said, "I will consider about it, and give you an answer." This was about 10 in the morning. I saw Damodhar Punt 2 or 3 hours after. He gave his deposition after Sir Lewis Pelly had given him a pardon. I saw him in the tent. Sir Lewis Pelly gave him a certificate. Sir Lewis Pelly came to the tent, and Mr. Richey there and then in the same tent took down his deposition. I know the witness Hemchand Fatechand. I saw him for the first time before Damodhar Punt made his statement. I saw him on two matters. Q.—When first on this matter? A.—About 4 or 5 days before Damodhar Punt made his statement. It is false that I practised *zulm* on Hemchand Fatechand. It is false that I wrote down what I liked and then made him sign it. It is false that I said I would put him in prison unless he signed what I had written down. I used no threats whatever to him. I did not take his books by force; he produced his books with his own hands. Hemchand Fatechand's statement was taken before Mr. Souter. I was present. After the statement was taken before Mr. Souter, he was taken before Sir L. Pelly. It is false that I said that if he did not sign I would send him to prison. I used no force nor *zulm* to induce him to sign before Sir

Exhibit A 2 shewn to witness and attention drawn to marked entries.

L. Pelly. I see the two entries relating to purchase of diamonds three entries, and one about a ruby ring. None of these were written under my directions. I don't quite remember when I saw this book first. Hemchand first brought it to me, and at that time these entries were in it. I have not taken out, nor put in any papers in this book. But that has been done. It was done before I first saw this book. Since I first saw it no alterations have been made in it. The alterations which seem to me made are that old leaves have been removed and new ones put in at the end of the book. Anybody who looks at it can see that. I remember Narsu Jemadar being arrested. When he came to the Residency he was arrested by Mr. Souter's order. I don't know by whom, it was not by me, but in my presence. He was next day in my presence confronted with Raoji. I was sitting with Narsu in the maidan opposite the Residency, and I questioned him about the particulars of his case. The Khan Saheb Akbar Ali and Abdul Ali were also present. I had given instructions to Raoji: "You should say nothing more than that you have stated everything in the matter," and that was what Raoji said when he came. Raoji said so much to Narsu, and he added, "I have said up to this," pointing to his neck. He said nothing else. I did not say anything to Narsu of what Raoji had said. It was in order that Narsu might not know particulars that Raoji was cautioned. To my knowledge no other Police Officer told Narsu particulars.

CROSS-EXAMINATION BY SERJEANT BALLANTINE.—My object was to get the truth. If Narsu had not confessed, and there was no further proof, I should have discharged him after receiving the Saheb's order. At the Haveli I seized all the papers. When 2 days after the seals were broken, Mr. Souter was present. When I examined the papers I shewed them the same time to Mr. Souter. As soon as I noticed, I sent for Mr. Souter. Before that they were not in my possession, but under a police and a military guard. As soon as I opened the papers, Mr. Souter came,—I mean in 10 or 15 minutes. The whole department of papers at the Haveli was sealed on seizure. I did not seize papers at the Haveli; they were sealed up here and there where they were. Those that had our seals were accessible to me and Captain Jackson. During the time the papers were in attachment, no



body but myself and Captain Jackson had access to them. After I had seen them I went myself and called Mr. Souter. I did so as soon as I observed one obliteration with ink. He came, a further examination took place, and all was discovered. I can point out the falsifications I observed in the book.

Some original accounts have been removed. Look here. The previous writing is different to this one line. The papers were as they are now, except that they are further soiled. Anybody can see that this line is false, but I don't mean many other reasons to prove it. I don't say this line is false, but I don't mean to say anything false has been written on this page; but the book has been altered in order to falsify it by removing an account. In Gujerat the pages are altogether; not torn nor separated; several are torn: look and see how many are connected, and how many unconnected. In the latter part the leaves are not made of the proper number sticking together as in the former part of the book. Where the account of diamonds was entered, an alteration has been made. The entries were made subsequently. The original page, date, and entry was in another place: it has been removed. A leaf has been removed from the place where a number of leaves were together. The entry was subsequently made: the original entry has been removed. Sets of leaves in one place have been torn. I point out that so many leaves have been changed. I presume that leaves have been removed at the place where the set of leaves is torn. I say that pages have been removed from here. Q.—This is the place you shewed before? A.—The previous writing is old; this line is new ink. Pages have been altered from this point. (*The Interpreter says the first entry is Asádh Wad 14th=12th July. On another page there is a date Tuesday, 1st Shudh of 2nd Asádh=14th July.*) Ganpatrao Mahajan is now head of the jewel department. He is father of my son's wife. What do I know of it being suggested on former occasions that I fabricated evidence? I do not know of any such charge being brought against me by a Judge, not in all my life. I was engaged in the Kot succession case. I was chief policeman in it. The Magistrate Sahib conducted it. I did not enquire into the case before Mr. Coghlan. I went on one occasion with Mr. Richey before Mr. Coghlan. I did not conduct the whole of that case. I may have done one act in that case, and may have been sent for, for that reason. Of the police in that matter I was the man whose salary was largest. In 1870 I was 1st Class Police Inspector. Q.—Do you remember Mr. Coghlan saying that he had a disagreeable impression that the police had too much to do in getting up the evidence? A.—If he did it does not apply to me. I was myself a witness. I had nothing to do with getting up the evidence. I don't know if Mr. Coghlan said this. The remark may have applied to the police who enquired, not to me. Q.—Do these words in a further enquiry apply to you? Do you remember the case before Mr. Justice West? A.—Yes, but I was not present before him. I was concerned in the case before the Committing Magistrate. Q.—Reads as "to the case bearing plain marks of falsehood and fabrication more than others." Did Mr. Justice West in his judgment say that? A.—I was not there; how can I know? I may or may not have heard this? Justice West has been imposed upon by the defendants, and I got proof of this lately, and can produce it here if ordered.

RE-EXAMINATION BY MR. SCOBLE.—Between the locking and sealing the papers in the palace till the day I began to examine them after the breaking of the seals at the Residency, I did nothing to the papers. I found the inky marks, to which I drew Mr. Souter's attention. How long after beginning my examination I don't remember, perhaps in an hour or half an hour. I was superintending, and the Karkoons mentioned were making the examination in this time. They were Karkoons employed in the Gaekwar's Khangi department. I went at once to Mr. Souter, and he came at once. This book is made up of sets

Witness taken Exhibit A 2.

of pages or "juz." The number of pages in a "juz" is unfixed. In this book there are six leaves to each "juz." There are six "juzes" which are not split above the sewing. The first five juz and the last juz are entire; the others intermediate are

not entire. In the Kot case before Mr. Coghlan I was only concerned as a witness to state what occurred on an occasion when I went to Kot with Mr. Richey.

BARODA,  
March 11th, 1875. }

(Sd.) JOHN JARDINE,  
Secretary to the Commissioners.

No. LIII.—HARJIVAN STATES ON SOLEMN AFFIRMATION:

EXAMINATION-IN-CHIEF

By MR. INVERARITY.—My name is Harjivan Parshotum. I am Head Karkoon of Gujarathi accounts in the Ahmedabad Collector's Office. I know the way Native account books are made up. They are bound as follows:—Sheets of paper are folded into juz or sets, and then they are bound up. A juz comprises usually 6 or 9 leaves. In a book of 6 leaves juzes, the number throughout would be 6 leaves to each. There would not be juzes of different sizes in the same book. I have looked at this book.

Exhibit A 2 shewn.

In two juzes the leaves are broken. In a juz the leaves are divided below the string. Above the string generally the leaves are not cut, but left entire. If a leaf or two is removed from the middle, it would not be necessary to cut. If one leaf were removed, it would be necessary, or a whole juz might be removed without cutting. The 1st five juzes in this book are entire. The 6th juz has one leaf deficient. In the 6th juz there are 4 leaves not cut up: one leaf is separated and one is wanting. Each sheet has four leaves. In the 7th juz two leaves are joined together and four are loose. The 8th juz is entire: it is the last juz in the book. The 7th and 8th juz appear to me to be made of paper of a kind different to the rest of the book.

CROSS-EXAMINATION BY SERJEANT BALLANTINE.—One leaf out of the 6th juz is gone: one leaf gone altogether. If I look at the new leaves, I would say 13 have been removed, 12 new leaves put in, and one leaf is altogether missing. There is some writing on the first six leaves out of the 12; the other six leaves are blank. On the preceding page the date is the last day of the first month of Asadh of last year. (*The calendar date is given as 13th July 1874.*) By preceding page I mean "that preceding the missing leaf." The entries shewn me occur on the page which has been put in—those about diamonds and that about the ruby ring on a subsequent page.

Entries about diamonds and about ruby ring shewn of date Aso Wad 14th = (7th and 8th November 1874) in Exhibit A 2.

RE-EXAMINATION BY MR. SCOBLE.—I point out where the missing leaf should be. (This is the entry said by Gajanand Vithal to be begun in old ink and continued in new.)

BARODA,  
March 12th, 1875. }

(Sd.) JOHN JARDINE,  
Secretary to the Commissioners.

No. LIV.—F. H. SOUTER STATES ON OATH:

EXAMINATION-IN-CHIEF

By MR. SCOBLE.—My name is Frank Henry Souter, Police Commissioner of Bombay and Companion of the Star of India. On 9th December last I came to Baroda to enquire into the alleged attempt to poison Colonel Phayre.







(THE INTERPRETER SAYS THERE IS A DATE OF 6TH FEBRUARY ABOVE THE THREE LINES WHICH HEMCHAND HERE DEPOSED TO BEING IN HIS OWN WRITING. IN THE THREE LINES OCCURS THE DAY 8TH FEBRUARY.)

The date, 6th February, is that of the deposition to Mr. Souter. It was read over again in presence of Sir Lewis Pelly, and he acknowledged it on the 8th February.

RE-EXAMINATION BY MR. SCOBLE.—I took down this Gujarathi at the same time as Mr. Souter took the English; other persons translated from English into Gujarathi, and I wrote that down.

THE STATEMENT IS RECORDED AS I 2.

After I wrote it out, Hemchand read it, getting it explained by me when he came to passages he did not understand. After that Hemchand signed it with his own hands.

BY THE PRESIDENT.—Hemchand, when making his statement, spoke partly in Hindustani and partly in Gujarathi. The translation into Gujarathi which I wrote down was made from the English by a person.

BARODA, }  
March 12th, 1875. }

(Sd.) JOHN JARDINE,  
Secretary to the Commissioners.

#### NO. LVI.—SIR LEWIS PELLY STATES ON OATH:

##### EXAMINATION-IN-CHIEF

BY MR. SCOBLE.—I am Agent to the Governor-General and Special Commissioner of Baroda. I arrived here on the evening of the 4th December. In obedience to instructions I sent for Mr. Souter to enquire into the poisoning of Colonel Phayre. Mr. Souter's services were placed at my disposal. He arrived about the 9th December. I gave him quarters at the Residency, and he did his duties in the present dining-room. I remember being informed that Raoji Havildar had made a statement. I left the enquiry in Mr. Souter's hands till the 23rd, when Mr. Souter and Mr. Richey came. I had meant to go that day for the Christmas holidays, but being told that something important had occurred, I consented to remain. Mr. Souter meant to go to Bombay on the 21st. I got him to stay to a dinner on the 22nd, and then asked him to wait till the 23rd. Raoji's statement was not made in my presence. I said, "You had better let me see him during the day, and I will judge for myself." I did see him on that day. He made a statement which I heard. That statement was substantially the same as that which he has given before the Commission so far as I remember. Of course he was allowed to speak freely before me on that occasion. The next day was a Thursday, on which day the Gaekwar was in the habit of visiting me. So when I came downstairs I told Mr. Souter on the morning of the 24th that I should immediately communicate to His Highness that his name had been brought into connection with the affair. I think that then Mr. Souter said to me, "Narsu, the Jemadar, also has confessed." So I told Mr. Souter that when the Maharaja comes he must come with me into his presence. Mr. Souter came with me, and what had happened was told to the Maharaja. I then suggested to His Highness to afford every facility for a searching investigation, and the Maharaja promised to do so. Then we went to work on our re-organization. I saw Narsu Jemadar that day after the meeting with the Maharaja. He was sitting in the room which is now my dining-room. I came there by order or appointment. I reminded the Jemadar that the matter on which he was understood to have given evidence was a most serious matter, and that



if he were in it he must not expect pardon: as far as I was concerned, he should have no pardon. I then told him to sit apart and reflect a little. I told Mr. Souter to explain that he should not have pardon. After a little time the Jemadar flung himself forward from where he was sitting with his pugri off. He then said the Sirkar might kill him, or do what they liked to him, but he must speak the truth. He used other and clearer expressions of the same sort which I forget. He then made a verbal statement which I did not allow to be taken down. It was to the same effect as the statement taken afterwards by Mr. Souter on the 26th I think. I said, "Let him go back to his room, let him think it over, and take it down when he has had time." As far as I recollect I took no further notice of the matter for a day or two. On the afternoon of the 26th, between 4 and 5 o'clock, I was dressing in my room in order to go out. Walking up and down my bed-room, I chanced to see that the Jemadar walking in the Residency garden with some police sepoy. Shortly afterwards I heard a considerable disturbance coming from the garden amidst the trees. There were calls for a rope and for assistance: those were the words I heard. I went downstairs as quickly as I could, and, when proceeding from the verandah to the back of the house, I met the Jemadar with two policemen. He was dripping wet. I asked what was the matter? The police said he had thrown himself into the well. I know the well in the garden of the Residency compound. It is a more than ordinarily deep well, that is, down to the surface of the water. It is lined with masonry, either brick or stone. There is, I think, a parapet round a portion of it. I saw Narsu the next morning—Sunday it was I think. A man calling himself a relative of his sent me a petition on Sunday morning.

SERJEANT BALLANTINE OBJECTING, MR. SCOBLE ARGUES THAT THIS EVIDENCE IS ADMISSIBLE AS EXPLAINING THE CONDUCT OF NARSU. THE PRESIDENT RULES THAT NARSU OUGHT TO HAVE BEEN ASKED BEFORE SIR L. PELLY.

The papers in the various offices and palaces were forthwith sealed up before I received the Governor-General's orders. I deputed to this work Captain Jackson as Assistant Resident and the Police. I forgot who the Police Officer was. The more important witnesses whose statements were taken after His Highness' suspension were brought before me. Among others I remember a witness named Hemchand Fatechand. This Gujerathi statement bears an endorsement by me. The rule was when a man

Exhibit I 2 shewn to witness. came to me after giving his evidence, he was asked if he could read or write. The man who acted as interpreter on these occasions was the Subordinate Judge, called Deshmukh. If the man could read and write, the man read it over himself, and was allowed to make corrections, and if he could not make out parts of the hand-writing, Deshmukh or some one else helped him.

The rule was that if he could read or had it read to him, he signed it in token of its correctness. This statement was, I can say, read over by Hemchand Fatechand, and acknowledged by him to be true.

BY THE PRESIDENT.—I have no doubt whatever that it was as here stated in the endorsement.

BY MR. SCOBLE.—I had seen Damodhar Punt before he was arrested. I had seen him sometimes, and may once have spoken to him. The Gaekwar had come to call on me on a private visit. After the visit was over I accompanied His Highness as usual to the lintel of my big drawing-room. I then saw a man standing in the verandah between us and His Highness' carriage. The Gaekwar introduced him as "Khang," and I think he also used the words in English—"Private Secretary." I am not sure if I spoke to the man. I applied to the Gaekwar through his Minister for Eshwant Rao and Salam. They are now in custody in the Residency premises under a military guard. I sent for them twice. I first sent for them in the morning, and they were sent up without

unnecessary delay. They were not detained. I forgot about them; the puttewalas said I was engaged, and they went back to the city. Mr. Souter told me of this mistake, and they were sent for again. The Solicitors to His Highness have been allowed access to them. I don't know Wasantrambhau, but I think he has been apprehended in 2 or 3 cases. Under explicit orders from the Government of India, I have suspended enquiry into this and other cases until the Commission has ceased its sittings.

CROSS-EXAMINATION BY SERJEANT BALLANTINE.—I have seen the Gaekwar almost daily since I came. I understood my instructions to be to assist him through his difficulties and reform his administration.

"MY DEAR SIR,—Will you oblige me by causing Eshwantrao and Salim to be sent to the Residency at your earliest convenience, as Mr. Souter, the Commissioner of Police, is desirous of taking their evidence in regard to the case now under investigation before me.

"Yours very truly,  
"LEWIS PELLY.  
"Residency, 23rd December 1874.  
"To DADABHOY NOWROJEE, Esq."

"Palace, Baroda, 23rd December 1874.  
"MY DEAR SIR,—As asked in your note just received, I send Yeshwantrao and Salim for their evidence.

"Yours very truly,  
"DADABHOY NOWROJEE.  
"SIR LEWIS PELLY, Residency."

"23rd December 1874.  
"MY DEAR SIR,—I have already sent away Yeshwantrao and Salim to you. I hope they are at the Residency by this time. I am waiting for a note from you for doing anything further.

"Yours very truly,  
"DADABHOY NOWROJEE.  
"SIR L. PELLY."

"before the Commissioner of Police, and that he, Dadabhai, would send some one to assist at the search. Dated the 23rd December." "The note about sending Wadia and Bapurao is not mine I think. It may be Dadabhai's." (The correspondence in copy is recorded as Exhibit J 2.)

"MY DEAR SIR,—Kindly ask the Maharaja to cause the houses of Yeshwantrao and of Salim to be searched, as it is alleged they are concerned in the important case (attempt to poison the late Resident) now before the Commissioner of Police.

"The Commissioner of Police would be very glad if you could arrange for the head of your office conducting the search, and this note will be taken to you by two of the Commissioner's men, who, he would request, might be present at the search.

"Yours very truly,  
(Sd.) "LEWIS PELLY."

"23rd December.

"DADABHOY NOWROJEE, Esq."

Q.—And then follows a foot-note by you, Sir Lewis. Will you see whether I state it correctly?—

"P. S.—This was at once attended to by His Highness, who asked the Chief Magistrate himself, Mr. H. A. Wadia, and a Senaputtee's Assistant, Mr. Baboorao, to go and see that the search was fully made, and every help given to the men of the Commissioner of Police to see whatever they liked.

D. N."

A.—Is that mine or Mr. Dadabhai's?

In the copy I have got it is signed L. P.? It seems to me that mentions more than I knew about it.

(The initials at the foot of the note turned out to be D. N.—Dadabhoy Nowrojee.)

MR. SERJEANT BALLANTINE [TO INTERPRETER].—Explain to the Commission that that is Mr. Dadabhai Nowrojee's note, and not Sir Lewis Pelly's.

[That was done by the Interpreter.]

Here is another letter from Sir Lewis Pelly, dated the same day, 23rd December 1874. I will just read it to the Commission.

"Urgent.

"Residency, 23rd December 1874.

"MY DEAR SIR,—The Commissioner of Police informs me that the servants "of His Highness the Gaekwar, named Yeshwuntrao and Salam, whom you were "so good as to send up here to-day, have returned to the city without "giving their evidence or communicating with him.

"The Commissioner considers that there is a *prima facie* case of complicity "already made out against these persons in respect to the attempt to poison "Colonel Phayre, and the Commissioner hopes that these persons may be made "over to the Residency for safe custody, pending the termination of the "investigation of this important case.

"My advice to His Highness is to afford every practicable facility for "thoroughly clearing up all the circumstances of the case. If His Highness "pleases to send a guard to the Residency with the accused, I shall be happy "to receive them.

"Yours truly,  
(Sd.) "LEWIS PELLY."

"TO DADABHOY NOWROJEE, ESQ."

(This letter was also interpreted.)

Then comes a letter from Mr. Dadabhoy.

"Palace, Baroda, 23rd December 1874.

"MY DEAR SIR,—On receiving your note His Highness at once sent for "Yeshwuntrao, and asked him why he and Salam had returned without giving "their evidence. He answered that he gave my letter to you to one Bala "Pattawalla, and this pattawalla told him that the Saheb said, "Salaam bolo." "Yeshwuntrao says he asked again of the pattawalla whether the Saheb did "not want him and Salam, as they had been sent specially to the Saheb. The "pattawalla said again, the Saheb only said "Salaam bolo," that Manajee "Pattawalla also gave the same reply, and told them to go.

"From this it is evident that some misunderstanding has taken place.

"I did not tell these men to go to the Commissioner of Police, but had "only directed them to yourself.

"On my explaining your note to His Highness, he was sorry any mistake "should have taken place, and immediately ordered them to go to you. I send "them with this letter to you, accompanied by a Karkoon, who will hand them "over to you.

"His Highness is ready to give every practicable facility for clearing up "the matter.

"Yours very truly,  
(Sd.) "DADABHOY NOWROJEE."

"TO SIR LEWIS PELLY."

[The substance of that letter was also interpreted.]

The explanation is that they went to me instead of to the Commissioner of Police, and then thinking they were not wanted, they went away again.





---

**EXHIBITS.**

**No. 1 Series.**

---

JOHN JARDINE,  
*Secretary to the Commissioners.*









EXHIBIT No. 3.

No. 501 of 1874.

From the Resident, Baroda, to the Chemical Analyser to Government, Bombay.

Baroda, 13th November 1874.

SIR,—Referring to your demi-official letter to the address of the Residency Surgeon, Baroda, dated the 11th instant, relating to a small packet of poisonous matter forwarded to you for examination by Dr. Seward, I have the honour to request that you will be kind enough to favour me with a formal official report as to the contents of the poisonous matter above referred to.

2. With reference to the statement made in your letter that the powder forwarded to you consisted partly of common white arsenic and "partly of finely powdered silicious matter" which, under the microscope, appeared to be either powdered glass or quartz, being most like the former, I should feel much obliged by your kindly informing me whether in your opinion the silicious matter referred to can possibly be powdered diamond.

3. Previous to the receipt of your letter under reference I had received secret and confidential information\* that the poison administered to me did consist of a mixture of (1) common arsenic, (2) finely powdered diamond dust, (3) copper.

\* Please do not mention this at present.

The importance of verifying, if possible, this information is obvious.

I have the honour to be,

SIR,

Your most obedient Servant,

(Sd.) R. PHAYRE, Col.,  
Resident, Baroda.

EXHIBIT No. 4.

MY DEAR SIR,—Will you oblige me by causing Eshwantrao and Salim to be sent to the Residency at your earliest convenience, as Mr. Souter, the Commissioner of Police, is desirous of taking their evidence in regard to the case now under investigation before him.

Yours very truly,

LEWIS PELLY.

Residency, 23rd December 1874.

To Dadabhoy Nowrojee, Esq.

Palace, Baroda, 23rd December 1874.

MY DEAR SIR,—As asked in your note just received, I send Eshwantrao and Salim for their evidence.

Yours very truly,

DADABHOY NOWROJEE.

Sir Lewis Pelly, Residency.



23rd December 1874.

MY DEAR SIR,—I have already sent away Eshwantrao and Salim to you. I hope they are at the Residency by this time. I am waiting for a note from you for doing anything further.

Yours very truly,

DADABHOY NOWROJEE,

Sir Lewis Pelly.

MY DEAR SIR,—Kindly ask the Maharaja to cause the houses of Eshwantrao and of Salim to be searched, as it is alleged they are concerned in the important case (attempt to poison the late Resident), now before the Commissioner.

The Commissioner of Police would be very glad if you could arrange for the head of your office conducting the search, and this note will be taken to you by two of the Commissioner's men, who, he would request, might be present at the search.

Yours very truly,

LEWIS PELLY.

23rd December.

Dadabhoy Nowrojee, Esq.

URGENT.

Residency, 23rd December 1874.

MY DEAR SIR,—The Commissioner of Police informs me that the servants of H. H. the Gaekwar, named Eshwantrao and Salim, whom you were so good as to send up here to-day, have returned to the city without giving their evidence or communicating with him.

The Commissioner considers that there is a *prima facie* case of complicity already made out against these persons in respect to the attempt to poison Colonel Phayre, and the Commissioner hopes that these persons may be made over to the Residency for safe custody, pending the termination of the investigation of this important case.

My advice to His Highness is to afford every practicable facility for the thoroughly clearing up all the circumstances of the case. If His Highness please to send a guard to the Residency with the accused, I shall be happy to receive them.

Yours truly,

LEWIS PELLY.

To Dadabhoy Nowrojee, Esq.

Palace, Baroda, 23rd December 1874.

MY DEAR SIR.—On receiving your note, His Highness at once sent for Eshwantrao, and asked him why he and Salim had returned without giving their evidence. He answered that he gave my letter to you, to one Bala Puttawalla; and this puttawalla told him that the Sahib said "Salaam bolo." Eshwantrao says he asked again of the puttawalla whether the sahib did not want him and Salim, as they had been sent specially to the sahib. The puttawalla said again, the sahib only said "Salaam bolo," that Mannjee Pattawalla also gave the same reply, and told them to go.

From this it is evident that some misunderstanding has taken place.

I had not told these men to go to the Commissioner of Police, but had only directed them to yourself.

On my explaining your note to His Highness, he was sorry any mistake should have taken place, and immediately ordered them to go to you. I send them with this letter to you, accompanied by a karkoon, who will hand them over to you.

His Highness is ready to give every practicable facility for clearing up the matter.

Yours very truly,

DADABHOY NOWROJEE.

To Colonel Sir Lewis Pelly.

Dadabhoy Nowrojee, Esq.

MY DEAR SIR,—I am obliged by your promptitude in causing Eshwantrao and Salim to be sent to the Residency for the purpose of giving evidence. I have requested the Commissioner of Police himself to see that they are accommodated in my office with as little discomfort as possible, and to take their evidence without unnecessary delay tomorrow. The puttawalla, if he told these persons to go to-day, acted wholly without my knowledge. Pray, thank His Highness for his assurance of giving every practical facility for clearing up this important matter.

If you could conveniently meet me to-morrow morning at 8 o'clock, I should be glad to see you.

Yours very truly,

LEWIS PELLY.

Residency, 23rd December 1874.

#### EXHIBIT No. 5.

My honoured and valued friend His Excellency the Viceroy, having declared his intention of giving me an opportunity of clearing myself from the grave suspicion which he was induced to consider attached to me in consequence of the alleged attempt to poison Colonel Phayre, the Resident at my Court, I now, out of respect for His Excellency the Viceroy, and from a desire to clear myself before him and before the world at large of those suspicions, make the following statement:—

I never had, nor have I now, any personal enmity towards Colonel Phayre. It is true that I and my ministers were convinced that, owing to the position taken up by Colonel Phayre during his Residency, it would be impossible satisfactorily to carry out the reforms I had instituted and was endeavouring to complete in deference to the authoritative advice conveyed to me in the khurita of the 25th July 1874, consequent upon the report of the Commission of one thousand eight hundred and seventy-three, and acting on this conviction, and after a long and anxious deliberation with my ministers, Messrs. Dadabhai Nowrojee, Bal Mangesh Wagle, Hormusjee Ardeshir Wadia, Kazi Shahabudeen, and others, I caused the khurita of the 2nd November one thousand eight hundred and seventy-four to be despatched to His Excellency the Governor General through Colonel Phayre himself, and notwithstanding his remonstrances, feeling assured that when the true state of affairs was placed before His Excellency the Viceroy, my appeal would be successful. This conviction was shared by all my ministers and was strengthened by our knowledge of the severe censure which had been passed on Colonel Phayre by the Bombay Government. The removal of Colonel Phayre on the 25th November 1874 shows that our judgment was not erroneous. Thus, neither personal nor political motives existed to induce me to attempt the crime with which I am charged, and I solemnly declare that I never personally, or through any agent, procured or asked the procurement of any poison whatsoever for the purpose of attempting the life of Colonel Phayre; that I never personally or through any agent

directed any such attempt to be made; and I declare that the whole of the evidence of the ayah Ameena, of Rowjee, Nursoo and Damodur Trimluck on this point is absolutely untrue. I declare that I never personally directed any of the Residency servants to act as spies on the Resident, or report to me what was going on at the Residency, nor did I ever offer or cause to be paid any money to them for such purposes.

I say nothing as to the presents that may perhaps have been made to servants of the Residency on festive occasions such as marriage and the like. Information on trifling matters going on both at the Residency or at my Palace may have been mutually communicated, but I did not personally hold any intercourse with those servants for this purpose; nor am I personally cognizant of any payments for the same having been made; nor did I authorise any measures by which secrets of the Residency should be conveyed to me. I present myself before this Commission fearlessly. I put implicit faith in the justice of those appointed by my honoured and valued friend the Viceroy. I am willing to answer any questions they may deem it right to put to me, and again solemnly deny the foul charge my enemies have instigated against me.

*Note.*—The above Exhibit 5 was accompanied by a similar statement in Maratha. Both the English and the Maratha statements were presented by the Counsel for His Highness the Gaekwar.

JOHN JARDINE,  
*Secretary to the Commissioners.*

---

**EXHIBITS.**

---

**A Series.**

---

JOHN JARDINE,  
*Secretary to the Commissioners.*



**Exhibit A.**

Translation of a Marathi Exhibit marked A.

TO HAZRAT (or Mr.) SHEIKH ABDoola, Butler, at present residing at Mahableshwur.

May his wealth always increase. With respects and prayers. Further, the cause of writing (this letter) is as follows:—I have received a letter from you and understood its contents. I hope you will in like manner frequently communicate to me the news from that place through letters and thereby gratify (me). Salim saw me on his arrival here, but as that is a "Raj Darbari" matter (State matter), it will be done leisurely as opportunities offer. I am a little better. I have sent a letter there (stating that I would attend on the 20th twentieth. It is (my) intention to go there accordingly. I have now also commenced (taking) medicine. There is also less strength in (my) hands. Five rupees have been paid to Vazir Ma. You had given to me here the letter received by you from home. On reading it I found its contents (as follows):—"The house of your father-in-law is to be attached. What place, then, should be fixed for residence?" I can give no reply about this. Formerly I told her to reside in (our) house, but she did not mind this, and lived there at her father's house. And 5 rupees for expenses and a black sari, (a piece of cloth worn by women), have been sent subsequently. Even when she has money in her hands, she sends for it from here. I am, therefore, thrown into difficulties on all sides. After securing his or her object on all sides, I am likely to be disgraced eventually. If a single pot, out of the pots, &c., which are in the house is lost, you will be responsible for it. You write (to say) that you will send ten rupees for me. It will be well if you send the same soon, that is before the 18th. If not please yourself; I cannot compel (you). From Alisha Jemadar have been received 25 rupees on account of himself and 25 rupees on account of Raheem Saheb, and 10 on account of Shah Saheb—in all sixty rupees. Forty rupees remain (to be recovered), for which it is in contemplation to get a fresh bond executed. Meanwhile 20 rupees, due to a Marwari,\* should be paid off soon. After the payment thereof, I am to proceed thither. By (my) taking

\* i. e., money-lender.

one month's leave, I have been subjected to a heavy loss. But what can be done? Owing to my illness, I could not help (doing so).

I had been to Yeshwant Rao's house. He has gone to Pandharpur on fifteen days' leave. He said to me as follows:—"On my return I shall have arrangements made about you, and the Maharaja twice or thrice enquired when the ayah would come." Salim was invited to my place of residence here. He was shown attention so far as my poor circumstances would permit. Let this be known. What more need be written. This is my (representation). Raheem Saheb Mohideen and Baba Matkar and others send their best compliments to you.

AMEENA BI AYAH, residing at Bombay.

Dated 10th April 1874.

(A true translation.)

NOWROZJI FURDOONJEE,

Sworn Translator and Interpreter to the Commission.

JOHN JARDINE,

Secretary.

BARODA, 27th February 1875.

**Exhibit B.**

Translation of a Marathi Exhibit marked B.

Love to SOBHAGIAWATI AMEKNA BI AYAH, from SHEIKH ABDoola, Butler, Karel.

I AM well by the favour of God and by your blessing. You should not entertain any anxiety. Colonel Phayre went to Poona on the 18th; he is to put up at Kijkee. Let it be known to you that the Dewan has been removed, and that no other person has yet been appointed (in his room). You should communicate what news there is, (getting the letter) written by a good writer.

Make enquiries about the Hazrat, who was in Bombay, and bring him without fail at the time of (your) coming. (You) should write about him without fail. You should communicate (to me) news frequently. You have forgotten me since your departure to Poona. What can you do? It is my fate. It is the will of God. It is my predestination. What can you do? You should not do so. Yesra Naik has gone to Bombay. Let this be known to you. Abdoola Khan has accompanied the Saheb. Pedro sends his compliments to you. Give my, as also Pedro's, compliments to your butler; the mestri (cook) and other people also send their compliments to you. Dated 18th, 1874. Signature of Sheikh Abdool. (He) sends his compliments in case they have been omitted through oversight. Send a reply to this letter without fail. I anxiously await it.

What more need be written?

This is (my) request.

(Address on the letter).—This letter should be delivered to Ameena Bi, the ayah of the Resident Mr Boevey, in the bungalow of the Revenue Collector, Mr. Oliphant, near the Post Office, Poona.

Not paid.

Poona.

To be delivered to Ameena Bi, the ayah of the Resident, Mr. Boevey. Despatched from Baroda. Shaba.

(A true translation.)

NOWROZJI FURDOONJEE,

Sworn Translator and Interpreter to the Commission.

JOHN JARDINE,

Secretary.

BARODA, 27th February 1875.

### Exhibit C.

Translation of a Marathi Exhibit marked C.

Love from SOBHAGIAWATI AMEENA BI, AYAH.

(Addressed to) SHEIKH ABDOOLA WALLUD SHEIKH ADAM, Butler, residing at Baroda.

I AM well by the favour of God and by your blessings. The cause of writing (this) letter (is as follows).—(I) have had no tidings of you since your departure from Baroda. This has made me very uneasy. You should therefore not act in this way. But as it is the will of God, you are not to blame. It is my fate. What can you do? The Maharaja is much perplexed. He has received an order to the effect that the petitions presented by the ryots should be disposed of within fifteen months. Such an order has been issued and the Dewan Sahib has been removed and prohibited from visiting the bungalow (i. e., the Residency). Let this be known to you. I receive no news whatever from you. You should send me news frequently. I am doing well here. Do not entertain any anxiety. The people in the bungalow send their compliments to you and convey the same to the Butler.

Yeshwunt Rao Naik has gone to Bombay. Let this be known to you. Shabuddin is also to go, (but) I have no correct information. As soon as you see (this) letter, send a reply without fail. What more need be written? This is what I had to write.

My compliments to the reader, in case they have been omitted through oversight.

The signature of SHEIKH ABDOOLA, Butler,

His own handwriting.

Dated 16th August 1874.

(A true translation.)

NOWROZJI FURDOONJEE,

Sworn Translator and Interpreter to the Commission.

JOHN JARDINE,

Secretary.

BARODA, 27th February 1875.

**Exhibit D.**

Translation of a Marathi Exhibit marked D.

To HAZRAT (or MR.) SHEIKH ABDULLA, Butler, residing at Baroda.

I, Ameena Bi Ayah, now residing at Bombay, respectfully represent (as follows):—I sent to you a letter affixing a postage stamp on it. I do not know whether it has reached (you) or not; I am therefore under anxiety day and night. I trust you will, therefore, not act in this way, but will frequently communicate the news by letter and thereby gratify me. If you wish that I should not go there, I am ready to undertake a voyage to England. If you wish it, I shall endeavour to obtain a situation of that kind. I am in doubt as to why no letter is received from you here; I await a reply from you. If you call (me), I shall go there; it will not matter (in the least). I wrote to you for (money for my) expenses, but nothing has been received from you. Convey my best compliments to the Kazi Sahib, my compliments to Salim and my best compliments also to be given to Yeshwunt Rao.

Chotoo's mother owes me rupee one. You should deduct it from her son's pay, because she has not visited me since her arrival at Bombay. You should go to and make proper enquiries at the place there, where I am coming to take up service. I hear that he has obtained an appointment in Rewa Kanta. If such a thing has happened, it is very bad. Write to say whether you have borrowed Rs. 5 from Vingorlekur Mahommed. He comes here and duns me for the (payment of the) same. Let me know in writing whether this is true. I do not know whether or not you have delivered the note (chitti) enclosed by me in my last letter to the person for whom it was intended. I labor under anxiety on this account only. Give my best compliments to Nathiaba. Write to say whether or not you have received the two "firkees." What more need be written? This is my request. Dated 29th March 1874.

I reside in Shetwadi in the same house as before.

AMEENA BI AYAH, Bombay.

A reply to be sent without fail.

(A true translation.)

NOWROZJI FURDOONJEE,

*Sworn Translator and Interpreter to the Commission.*

JOHN JARDINE,

*Secretary.*

BARODA, 27th February 1875.

**Exhibit E.**

PEDRO DE SOUZA, Native Christian, states:—I am about thirty-seven years of age, and have for more than twenty-five years past been in the service of Colonel R. Phayre, the late Resident at Baroda. I have been serving that gentleman as his butler for the last fifteen or sixteen years, and before that I filled several situations of different kinds in his household. When Colonel Phayre was appointed to the office of Resident at Baroda, which was, I think, in the month of March 1873, I accompanied him to that place, lived in the Residency, and served him there from that time until the month of September last, when I obtained leave of absence from him and proceeded to Goa, my native country. I left Baroda on the 3rd October last, went to Goa, remained there about a fortnight, and returned to Baroda on the 3rd November, one month after my departure. I know one Salim, a Mahomedan, who resides at Baroda and is a "jasood" in the service of H. H. the Gaekwar. I have known this man Salim from the time I first went to Baroda with Colonel Phayre, as above stated. He used to come to the Residency twice a week regularly during all the time I stayed there. The Gaekwar always came twice a week, on Mondays and Thursdays, to pay a sort of official visit to the Resident; and on these days Salim always preceded His Highness to give notice of his coming. Salim always brought with him on these occasions, a tray of fruit as a sort of "nuzzerana" or tribute of respect. In the month of August last, when I first thought of obtaining leave from my master to go to

Goa, I was short of money; and on seeing Salim at the Residency one day I said:—"I am thinking of going to my native country for a month, but am badly off for money, my wife is pregnant, and the expenses on her account and for travelling will be heavy; will you entreat the Maharaja to give me some money for this purpose?" Salim replied that he would speak to the Maharaja and bring me the money. No particular sum was named by either of us. I made this request to Salim, because I had heard that the servants of previous Residents had obtained similar favors from the hands of the Gaekwar. Salim himself had told me this many times before I made my said request to him. About a fortnight after I had so spoken to Salim, he came to me in my room at the Residency, and said:—"The Maharaja has sent you these rupees. I told him what you said." I thanked him very much, took the rupees he offered me, and he went away. I counted the rupees as he gave them to me and said:—"Here are sixty rupees of Baroda currency, which are equal to fifty Bombay rupees." Two or three days after this, or on his next visit to the Residency, Salim met me in the compound of the Residency, and said:—"You come and see the Maharaja. If you will agree to come, I will bring a carriage to take you." On hearing this I said:—"I will never come to the Havelee" (*i. e.*, Palace). He replied:—"If you cannot come now, I will bring a carriage for you whenever you wish to come." To this I again said:—"I will never come!" After my return to Baroda from Goa I never saw Salim, except in passing, and I had no speech with him other than to say "salaam." I positively declare that I never received any other gift from the Gaekwar than this one of sixty rupees sent to me through Salim, and that I never had any conversation with Salim about my own affairs or in connection with the Gaekwar excepting on the occasion mentioned. I never went to the Havelee or spoke to the Gaekwar, and I never had any correspondence with him, either directly or indirectly, other than that above detailed. Further I say not.

The mark x of

PEDRO DE SOUZA.

Taken on oath, and duly acknowledged and signed by Pedro de Souza in my presence, this fifth day of January 1875.

A. EDGINTON, J. P.,

*Deputy Commissioner of Police, Bombay.*

The foregoing statement was duly read and interpreted by me to the said Pedro de Souza on the day and date above written and acknowledged by him to be correct.

(Sd.) DINANATH SOONDERJEET,  
*Head Clerk, Commr. of Police.*

JOHN JARDINE,  
*Secretary.*

BARODA, 26th February 1875.

### Exhibit F.

*Confidential.*

*Baroda, 8th November 1874, 11 A.M.*

MY DEAR SEWARD,—With reference to the circumstances which I mentioned to you this morning, together with the symptoms which I described to you, and the contents of the tumbler which you took home with you, I should feel much obliged if you would kindly give me a professional opinion as to the nature of the contents of that tumbler, whether poisonous or not.

Although I only took two or three sips of the pummalo juice which the tumbler contained, I felt within about half an hour, as I described to you, a most unusual sickness of stomach, accompanied by dizziness in the head and of sight, producing confusion of thought, also a most unpleasant metallic taste in the mouth, with slight salivation such as I have never experienced until within the last few days, and which I attributed partly to a slight attack of fever, which had, however, quite gone off, and partly to an idea that the pummalos from which the juice daily placed on my table had been extracted were not fresh ones. I now, however, attribute all of these symptoms, especially that of this morning, to entirely different causes. In fact, I now believe that for

the last few days small doses of poison have been introduced into this juice, and that had I drunk the whole tumbler off to-day I should have been very ill indeed.

The confused state of my head has often surprised me of late, because for the last six weeks I have abstained *in toto* from wine and beer, &c., except once or twice when friends dined at the Residency, and have found myself all the better for it.

My general health, is, as you know, most excellent, and therefore the symptoms which I have described to you are, I feel sure, the result of unnatural causes. I never dreamt of poison, otherwise I should not have thrown away so much of the contents of the tumbler which I gave you this morning. It was only after doing so, and when I was replacing the tumbler on the table, and saw the sediment at the bottom, that I for the first time suspected foul play.

Believe me, Yours very sincerely,  
(Sd.) B. PHAYRE, *Colonel.*

(Endorsement.) For the information of the chemical analyser, who will kindly return the original.

(Sd.) G. EDWIN SEWARD.

9th November 1874.

JOHN JARDINE,  
*Secretary.*

BARODA, 27th February 1875.

#### Exhibit G.

*Telegram.*

From COLONEL PHAYRE, C.B., Resident, Baroda, to the Private Secretary, Gannesh Khind, Poona.  
Baroda, 9th November 1874.

BOLD attempt to poison me this day has been providentially frustrated.  
More by next post.

R. P., *Col.*

JOHN JARDINE,

*Secretary.*

BARODA, 27th February 1875.

#### Exhibit H.

Translation of Durbar Yad No. 2057, received on the 14th November 1874, in the evening at 5-45 P. M.

At a personal interview with you the day before yesterday, I learnt from you the particulars about the attempt made by some bad man to poison you, for which I am very sorry. But it was the favour of God that his cruel design did not meet with success.

If it becomes necessary to obtain my assistance in proving this criminal's guilt, the same will be given. This is written for your information.

Dated 14th November 1874.

(A true translation.)

C. RUSTOMJEE,

*Translator and Interpreter to the Commission.*

BARODA, 16th March 1875.

JOHN JARDINE,

*Secretary.*

#### Exhibit I.

*Endorsement Received 19th November.*

No. 502 A.

To DR. GRAY, M.D., Chemical Analyser to Government.

Baroda, 16th November 1874.

SIR,—In consequence of the opinion expressed in your demi-official of the 13th instant to Dr. Seward's address (received on the evening of the 14th



*idem*), I yesterday morning scraped together from the chunam floor of the verandah as much of the deposit as could be found on the spot where the contents of the poisoned tumbler fell; and I enclose the said scrapings herewith, in the hope that they may be useful in leading you to a decision as to the other ingredients which were contained in the poisoned tumbler besides arsenic.

I have the honor to be,  
SIR,

Your most obedient servant,

(Sd.) R. PHAYRE, Colonel,  
Resident.

JOHN JARDINE,  
Secretary.

BARODA, 27th February 1875.

### Exhibit J.

No. 401 or 1874-75.

From the Acting Chemical Analyser, to the Resident, Baroda.

Grant College Laboratory, 19th November 1874.

SIR,—I have the honor to acknowledge the receipt of your letter of the 16th instant, and also of the small packet enclosed. The letter was sealed, the seals were unbroken, the crest a bird.

The packet contained a small quantity of moist earthy matter of a brown color mixed with glittering particles. A chemical examination of this earthy matter revealed the presence of arsenic. I failed, however, to detect in it the slightest trace of any mineral poison other than arsenic. Many of the glittering particles appear to be of the same nature as those seen in the powder sent me by Dr. Seward, namely, diamond dust: other glittering dark-colored particles in the earthy matter proved to be oxide of iron, being in fact the same substance that is commonly used as sand for drying ink.

I have the honor to be,

SIR,

Your most obedient servant,

(Sd.) W. GRAY, Surgeon,

Acting Chemical Analyser to Govt.

JOHN JARDINE,  
Secretary.

BARODA, 27th February 1875.

### Exhibit K.

APPENDIX C.

Statement by COLONEL PHAYRE, C.B., Resident, Baroda.

Baroda, 16th November 1874.

THE attempt to poison me was made on the morning of Monday, the 9th November, 1874. The small quantity of poisoned sherbet taken by me was swallowed at about 7 A.M. At about twenty minutes or half-past 9 A.M. the Maharaja paid me his usual visit. After some common-place remarks H. H. observed that the weather was not healthy, that there was a good deal of fever in the city, and that he himself had been suffering from purging and headache and fever from eating the usual Dewalee sweetmeats, but that he had recovered. I made no remarks, but it occurred to me that H. H. had led the conversation to the subject in order to elicit some remarks from me. I have since learnt from the evidence that His Highness' confidential Arab sowar Salim was at the Residency earlier than usual on that morning, that when I sent a note to summon Dr. Seward between 7 and 8 o'clock, the Arab sowar stopped the peon Mahomed who was carrying it and asked him to buy him

some biscuits in the bazaar, which extraordinary occurrence I can only account for by a desire on the part of Salim to divert the peon's attention from his proper errand to summon the Residency Surgeon.

By about noon on Monday, the attempt to poison me began to spread in the camp and city. Next day, Tuesday, 10th, several people from the city came to call, or sent to enquire after my health, but no one came from the Maharaja. Wednesday, the 11th, passed in a similar manner without any enquiry on H. H.'s part.

On Thursday, the 12th, H. H. came to pay his usual visit, and on this occasion, for the first time, he was accompanied by Mr. Dadabhai. Usually H. H. comes alone. H. H. opened the conversation by saying that he had heard on the previous day (11th) that some one had poisoned me and asked how I was, remarking at the same time that I showed no signs of having been poisoned when he called on Monday the 9th instant. Previous to this remark by H. H. I had not mentioned the hour at which I was poisoned, but I afterwards told him. How the Maharaja knew that I had been poisoned when I came to receive him on the Monday morning is not apparent.

Mr. Dadabhai said that he heard the rumour first on Tuesday, 10th, but did not believe it, that the rumour was repeated so strongly on the 11th that he believed it, and that he intended to speak about it next day (12th). He asked me if I was making enquiry into the matter, and I replied that I was, and expressed a hope that I should succeed in discovering the perpetrator of the crime.

On Saturday, the 14th instant, after dark in the evening, 5-45, I received the following *yad* from the Durbar:—

"Durbar *yad* to the Resident No. 2057, dated 14th November 1874.

"At a personal interview with you the day before yesterday I learnt from you the particulars about the attempt made by some bad man to poison you, for which I am very sorry. But it was the favour of God that his cruel design did not meet with success.

"If it becomes necessary for you to obtain my assistance in proving the criminal's guilt, the same will be given. This is written for your information."

[A true translation.]

(Sd.)

R. PHAYRE, Colonel,  
Resident.

It will be observed that in this *yad* H. H. alludes only to having heard of the matter from me personally on the 12th instant, whereas the report had spread everywhere by the evening of the 9th November, and it is not reasonable to suppose that H. H. has not heard of it immediately, as everything is reported to him at once by his spies.

Moreover, he himself told me on Thursday, the 12th, that he had heard of it the previous day, and had resolved to speak regarding it on his next visit that morning. The delay of His Highness in not taking notice of the occurrence till Thursday the 12th and afterwards in writing the *yad*, offering assistance on the evening of the 14th, the sixth day after the event, are remarkable.

(Sd.)

R. PHAYRE, Colonel,  
Resident.

JOHN JARDINE,

Secretary.

BARODA, 27th February 1875.

### Exhibit L.

No. 1612.

YOUR HIGHNESS,—Having been consulted by His Excellency the Governor in Council regarding the present situation of affairs at Baroda, His Excellency has desired me to acknowledge the promptness with which your Highness has attended to the advice of the Government of India in the matter of removing certain officials from office, and with reference to your Highness' *yad*,

No. 1485, dated the 14th instant, I am instructed to say that the Government, while refraining from pronouncing any opinion on the qualifications of Mr. Dadabhai Nowrojee, desire to offer no objection whatever to that gentleman's appointment as Dewan, should your Highness in the exercise of your independent discretion think proper to appoint him.

It will be my duty to afford Mr. Dadabhai every assistance he may need, and accord to him the usual military honors.

(Sd.) R. PHAYLE, Colonel,  
Resident.

BARODA, 27th August 1874.

JOHN JARDINE,  
Secretary.

BARODA, 27th February 1875.

#### Exhibit M.

A Test-tube produced by Dr. Seward.

JOHN JARDINE,  
Secretary

BARODA, 1st March 1875.

#### Exhibit N.

From—The Residency Surgeon, to the Resident.

Baroda, 9th November 1874.

SIR.—In reply to your letter just received 1 P.M. I have the honor to report that so far as my chemical appliances allow me to pronounce an opinion upon the quality of the sediment which you this morning entrusted to me for examination, that sediment is arsenic.

The quantity was sufficient to allow of its being tested by reduction with charcoal, and the result I have shown you.

The metallic ring deposited upon the tube in rich profusion and the octohedral crystals also deposited, point almost certainly to the presence of arsenic.

I purpose despatching the remainder of the sediment by to-morrow's mail train to the Government Analyser.

The quantity of the sediment would almost assuredly have proved fatal had it been swallowed.

I have the honor to be,

SIR,

Your most obedient servant,

(Sd.) G. EDWIN SEWARD,  
Residency Surgeon.

JOHN JARDINE,  
Secretary.

BARODA, 1st March 1875.

#### Exhibit O.

A small envelope with an endorsement signed by Dr. Seward, forwarding sediment for examination, and dated 9th November 1874. It contains a piece of blue blotting paper folded.

JOHN JARDINE,  
Secretary.

BARODA, 1st March 1875.

#### Exhibit P.

A larger envelope addressed to the Chemical Analyser to Government, Bombay; and franked by Dr. Seward, stamped with a registered letter stamp.

JOHN JARDINE,  
Secretary.

BARODA, 1st March 1875.

#### Exhibit Q.

Grant College Laboratory, Bombay, 11th November 1874.

MY DEAR SEWARD,—I have duly received your letter and its enclosures, viz., a demi-official from Colonel Phayre and a small packet, which contained a few

grains of greyish-coloured powder, mixed with numerous glistening gritty particles.

I have examined this powder and find it to consist partly of common white arsenic and partly of finely powdered silicious matter. This silicious matter under the microscope appeared to be either powdered glass or quartz, being most like the former. Some of the particles had a purplish or rose-coloured tinge, which fact may perhaps furnish you with a clue as to its source. If you wish an official reply in addition to the present, I shall send it.

Herewith is returned Colonel Phayre's letter. I shall keep the remains of the powder in my possession, till I hear further from you.

Believe me,

Sincerely yours,

(Sd.) W. GRAY,

*Acting Chemical Analyser to Government.*

*Endorsement on the above.* Received November 13th, 1874.

(Sd.) G. E. S.

JOHN JARDINE,

*Secretary.*

BARODA, 1st March 1875.

#### Exhibit R.

Three glass slides, on each of which is some sediment.

JOHN JARDINE,

*Secretary.*

BARODA, 1st March 1875.

#### Exhibit S.

One glass slide, with some scratches on it.

JOHN JARDINE,

*Secretary.*

BARODA, 1st March 1875.

#### Exhibit T.

Test-tube produced by Dr. Gray, showing a metallic ring.

JOHN JARDINE,

*Secretary.*

BARODA, 1st March 1875.

#### Exhibit U.

*Grant College Laboratory, Bombay, 13th November 1874.*

MY DEAR SEWARD,—In continuation of my letter of the 11th I write to tell you that a still closer examination of the gritty powder has led me to think that part of it at least is diamond dust. The lustre of some of the particles seems to me too great for anything else, and they are besides exceedingly hard and quite insoluble in any acid. This opinion, however, is based only on ocular inspection. I am not in possession of any means here to test the substance chemically, should it be asserted that it is diamond dust; and, besides, the quantity sent is exceedingly minute.

How do you account for the metallic taste described by Colonel Phayre? Can it be copper? Arsenic is tasteless or nearly so. I failed to find any compound of copper in the powder you sent me, but as all its salts are very soluble, it is possible that if put into the pummelo juice it may have been all thrown away when the tumbler was emptied. The early appearance of the symptoms may be due to the fact that he took the arsenic in solution, or rather suspended in the pummelo juice, on an empty stomach. He may also have taken a comparatively large proportion of what was in the tumbler, as arsenic, unless well mixed, has a habit of floating on the top of a liquid. Natives have a firm belief in the deadly properties of diamond dust or powdered glass, but the fact is that neither of them possesses any deleterious qualities.

I shall be happy to examine anything else you may require done. Is it possible to obtain any of the pummelo juice or any part of the ground or

other place upon which it was thrown? If so, we might be able to detect copper if present.

Believe me, sincerely yours,

(Sd.) W. GRAY,

Acting Chemical Analyser to Government.

To the Residency Surgeon, Baroda.

JOHN JARDINE,

BARODA, 1st March 1875.

Secretary.

#### Exhibit V.

Test tube produced by Dr. Gray, showing a metallic ring.

JOHN JARDINE,

BARODA, 1st March 1875.

Secretary.

#### Exhibit W.

Envelope bearing the following endorsement by Mr. Souter "Powder found in the pocket of Rowjee Havildar's cross-belt on 25th December 1874." This envelope contains a piece of white thread and a small paper packet endorsed, "From F. H. S., December 30, 1874."

JOHN JARDINE,

BARODA, 1st March 1875.

Secretary.

#### Exhibit X.

"This day the Poonekar said to the Saheb that the Maharaja had made a new *vaudo*\*, that her name was Gangabai, that her father was a washerman, that the Maharaja had caused a nuzzarana of Rupees seven thousand to be paid to her from the Patan Mahal, and that those people had come to prefer complaints, but that no one listened to the same. Secondly, Bapu Saheb Gaekwar had come. He (the Saheb?) enquired: "Well, how are you?" He answered that he was well by the Saheb's blessing. The Saheb then enquired: "Do you go to Dadabhai and Shabuddin for your business?" Then Bapu Saheb answered as follows: "There is no necessity for my going (to them). As long as you are here, it is not necessary for me to go to any one. What do these people know of the administration of justice, and what do they do? These people ask each other's advice, sit doing nothing, and enjoy themselves." Thirdly, the Poonekar said: "Saheb, all the people became glad on hearing the reports of a cannon, assembled together, and began to say that some great Sahib had come from Bombay to enquire into the cases of all. On account of this happy news all the people had collected." Then the Saheb said: "The gentleman is the General Saheb who has come from Ahmedabad to review the regiment." Fourthly, Rakhmabai's brother has presented a petition. He says that his sister should be made over to him. The Saheb became very angry with him. Fifthly, I shall come to-morrow bringing with me Cawasjee. You should therefore send Salim."

(A true translation.)

(Sd.) C. RUSTOMJEE,

Interpreter and Translator to the Commission.

JOHN JARDINE,

BARODA, 9th March 1875.

Secretary.

#### Exhibit Y.

Shri (Wealth).

THE account of Duxni Raoji Wagha for Samvat year 1930, month of Kartik, through Patel Dajeebhai Narotum.

CREDIT SIDE.			DEBIT SIDE.		
	Rs.	A. P.		Rs.	A. P.
Cash (received) from himself ...	220	5 9	One golden string, weight 5 tolas six wals, at Rs. 22 ...	114	2 0
			Charges for making a gold string	5	0 0
			One anklet of silver, weight Rs. 7½, exchange at annas 4½	96	11 9
			Charges for making one anklet...	4	8 0
				220	5 9



Shri (Prosperity).

The account of Duxni Raoji Wagha for Samvat year 1930, month Falgoon (February—March), through Patel Dajeebhai Narotum.

CREDIT SIDE.			DEBIT SIDE.		
	Rs.	A. P.		Rs.	A. P.
Ready cash (received) through Dajeebhai ...	84	0 0	One gold bracelet called <i>kangai</i> , in weight 5½ gudianna wals 3, at Rs. 22 through Dajeebhai ...	65	6 0
Cash, 3rd of Jaith Vad (3rd June 1874) ...	22	0 0	Charges for making ...	3	0 0
Ashad Sud 7th, Sunday (21st June 1874) ...	121	0 0	Golden rings, weight 1 tola, at Rs. 22 each ...	22	0 0
	207	0 0	Charges for making ...	0	8 0
Ready cash through himself ...	6	0 0	Girdle of silver, total tolas 16½ ...	19	7 8
	213	0 0	Charges in the month of Ashad Shuddh 11th (25th June 1874). ...	1	0 0
			One silver anklet, in weight Rs. 75½, at the premium of annas 4½ ...	96	11 9
			Charges ...	5	0 0
			Total ...	213	0 8
			Coins called <i>putlies</i> of gold, in weight 4½ tolas and 2 wals, including charges ...	98	12 0
			<i>Putlies</i> of gold, weight tola one, including charges, wals 4½ ...	16	0 0

This paper is produced by me to-day, dated December 29th, 1874.

Signature of Daji Narotum.

The 29th December 1874.

(Sd.) J. B. RICHEY.

(A true translation.)

(Sd.) NOWROZI FURDOONJEE,  
Translator to the Commission.

JOHN JARDINE,  
Secretary.

### Exhibit Z.

SHRI.

To

The Officer of Hoozoor Fouzdari.

FURTHER, for medicine for a horse,\* arsenic in weight tolas 2 is required ; therefore send here a pass for it.

DATED BHADROPAD VADYA, }  
9th Samvat 1931,  
4th October 1874.

(Sd.) DAMODAR TRIMBAK,  
Khangiwalla.

Fouzdari Inward File No. 404.

To

MR. DATTATRAYA RANCHANDRA.

The Shrimant Sircar Maharaj has ordered to give arsenic tolas two (2) as above on receiving the price ; therefore giving to the said person arsenic as above, take the price.

DATED BHADROPAD VADYA, }  
10th Samvat 1931,†  
5th October 1874.

(Sd.) GANPATRAO BALWANT,  
City Fouzdar.

(A true translation.)

(Sd.) C. RUSTOMJEE,  
Translator to the Commission.

\* The original word seems to have been written over another which is illegible.

C. R.,  
Translator.

† On enquiry I learn that in the records of H. H. the Gaekwar the new Samvat year begins four months earlier, viz., in Jeth (May--June), and that it is called Margashir. This date will therefore correspond to 4th October 1874.

NOWROZI FURDOONJEE,  
Translator.

JOHN JARDINE,  
Secretary.

---

**EXHIBITS.**

**A1 Series.**

---

*The translation of Z 1 is authenticated by Mr. Nowrooji Furdoonjee  
Sworn Translator and Interpreter to the Commission.*

*All the other translations of vernacular documents in this series are  
authenticated by Mr. Curesetji Rustomjee, Sworn Translator and Interpreter to  
the Commission.*

**JOHN JARDINE,**  
*Secretary to the Commissioners.*

[TRANSLATION FROM MARATHA.]

EXHIBIT A.1.

Shri (i. e., Prosperity, &c.).

Brought to account in the 3rd lunar day, the month of Shawal, that is, in the month of Margshirsh, the Samvat (year) 1930 (24th November 1873.)

MEMORANDUM.—From Bombay goods were caused to be brought to the Khasay through Yeshwanta, the son of Mahipati Yeolay, the Sirkar's courier. For the payment of the money for the same, the Sirkar's permission was granted. In accordance therewith what was paid in ready cash (was as follows:—) The Soor Sun (year) one thousand two hundred and seventy-four (the Mahommedan) lunar day the 3rd, that is, the (Hindoo) lunar date the 4th (conjoined) with the 5th of Margshirsh Shoodhya, the Samvat (year) 1930 [24th November 1873] Monday.

Machine-made (rupees) were purchased in the bazar at the place of business of Parakh Govardhan Dalpat and were delivered. For the same the Babashai (rupees), together with (the amount of) exchange that were paid to Parakh were as below mentioned:—

Principal Surat [rupees] ...	...	...	1,000	
For exchange at the rate of Rs. 18½ per cent ...	...	...	187½	
		In all	1,187½	1,187½
Babashai (rupees) paid out of the Treasury	...	...		2,000
				3,187½

In accordance with the above memorandum, the Sirkar's permission was granted for the payment of rupees three thousand one hundred and eighty-seven and a half. The lunar date, the 5th of Margshirsh Shoodhya, the Samvat [year] 1930 [24th November 1873].

(The text of what follows is in Goozerati:—)

PAYMENT.—Nayak Asuntrao Avlia Rs. 1,000 of the Bombay currency, Babashai Rs. 2,000 in all three thousand, have been received in full by the hands of Parakh Javer Lakhmidas, who received (the same and) went away.

[TRANSLATION FROM MARATHA.]

EXHIBIT B.1.

Shri (i. e., Prosperity, &c.).

Brought to account on the 8th lunar day of the month of Shawal, that is, in the month of Margshirsh, the Samvat (year) 1930 (November-December 1873).

MEMORANDUM.—In order that goods might be purchased and brought from Ahmedabad, the Sirkar's permission was granted for the payment of money for (his) expenses, to Yeshwanta, son of Mahipati Yeolay, the Sirkar's courier. In accordance therewith what was paid in ready cash (was as follows:—) The Soor Sun (year) one thousand two hundred and seventy-five, the (Mahommedan) lunar day the 8th, that is the [Hindoo] lunar date the 10th of Margshirsh Shoodh, the Samvat [year] 1930 [29th November 1873] Saturday.

Machine-made [rupees] were purchased at the place of business of Parakh Govardhan Dalpat in the bazar, and delivered for the same. Babashai [rupees] were paid to Parakh [as below]:—

Principal Surat (rupees) by the hands of Gunpatrao, corrected to Narayanrao, son of Bhukoba Selkey, attached to the small Khua Paga	...	...	10 0 0	
For exchange at the rate of Rs. 18-14 per cent ...	...	...	1 14 0	
			11 14 0	11 14 0
Babashai (rupees) paid in ready cash	...	...	...	7 0 0
				18 14 0

In accordance with the above memorandum, the Sirkar's permission was granted for the payment of rupees eighteen and fourteen annas, to Narayanrao Shilkay Burgir of the small Khas Paga. The lunar date, the 10th of Margshirsh Shoodh, for the Samvat (year) 1930 (29th November 1873).

In respect of the above memorandum, machine-made rupees 10 ten, and Babashai rupees 7 seven, were received in ready cash in full out of the treasury. By the hands of Narayanrao Shilkay the said [rupees] were received in full from Yeshwantrao Yeolay. The handwriting of Krishnajeo Ramchandra Kelkar.

[The letter attached to document marked B, as translated, is as below]:—

Shri (i.e., Prosperity, &c.)

To Rajeshri Bulwantrao Raoji, in the private service of the Sirkar.

Further, Narayanrao Shilkay is now sent. Do you therefore pay him machine-made rupees 10 and (give him) a piece of jagannath (jaconet cloth) immediately out of the treasury; or pay him rupees seven for the purchase (of the cloth) in the bazar, or cause it to be delivered by Choonilal. The lunar date, the 10th of Margshirsh Shoodhya, the Samvat (year) 1930 (29th November 1873).

DAMODHUR TRIMBUCK, *Khangioalay*.

[TRANSLATION FROM MARATHA.]

EXHIBIT C.1.

Shri (i.e., Prosperity, &c.)

Brought to account on the 15th lunar day, the month of Shawal, that is, in the month of Margshirsh of the Samvat (year) 1930 (6th December 1873).

MEMORANDUM.—Goods were caused to be brought from Ahmedabad by means of Yeshwanta, son of Mahipati Yeolay, a courier in the service of the Khasay. The Sirkar's permission was granted for the payment to him of machine-made money for the same. In accordance therewith Surat money was to be paid. The same was purchased in the bazaar at the place of business of Parakh Govardhan Dalpat, and was delivered. In respect thereof, the Babashai (rupees) were to be paid in ready cash. The 15th lunar day, the month of Sawal, in the Soor Sun (year) one thousand two hundred and seventy-four; that is, the lunar date, the 2nd of the month of Margshirsh Vadya, of Samvat 1930 (6th December 1873), Saturday.

Principal Surat (rupees) by the hands of Salim, son of Ali Arab, a Sepahi, in the service of the large Khas Paga, employed in the message-bearing business of the camp. Through Yeshwanta Yeolay, a courier	...	200
For exchange at the rate of Rs. 19 per cent.	...	38

238

In accordance with the above memorandum, the Sirkar's permission was granted for the payment of rupees two hundred and thirty-eight. The lunar date, the 2nd of Margshirsh Vadya, of the Samvat (year) 1930 (6th December 1873).

The said machine-made rupees two hundred, agreeably to the memorandum, were received in cash in full out of the Khangee (private) treasury. By the hands of Salim, the son of Ali Arab. The handwriting of Balkrishna Hari Kodilkar. At the said Salim's request (this) is given in writing.

[TRANSLATION FROM MARATHA.]

EXHIBIT D.1.

Shri (i.e., Prosperity, &c.)

Brought to account on the 22nd lunar day, the month of Shawal, that is, in the month of Margshirsh, of the Samvat (year) 1930 (13th December 1873).

MEMORANDUM.—Goods were caused to be brought from Ahmedabad by means of Yeshwanta, son of Mahipati Yeolay, a courier in the service of the Khasay. The Sirkar's permission was granted for the payment of money for

the same. In accordance therewith what was paid in ready cash (was as follows):—The 22nd lunar day of the month of Sawal the Soor Sun (year) one thousand two hundred and seventy-four, that is, the (Hindoo) lunar date the 9th of the month of Margshirsh Vadya, of the Samvat (year) 1930 (9th December 1873), Saturday. Rs. 300.

In accordance with the above memorandum the Sirkar's permission was granted for the payment of rupees three hundred. The lunar date the 10th Margshirsh Vadya, the Samvat (year) 1930 (10th December 1873).

Babashai rupees three hundred (in respect) of the above memorandum were received in full out of the Khasgi Treasury. By the hands of Salim, the son of Ali Arab, in the service of the large Khas Paga. The handwriting of Balkrishna Hari Kodilkar. At the request of the owner of the goods (this) is given in writing.

[ TRANSLATION FROM MARATHA. ]

EXHIBIT E.1.

Shri (i.e., Prosperity, &c.)

Brought to account on the 30th lunar day, the month of Zilkad, that is, in the month of Poush, the Samvat (year) 1930 (19th January 1874).

MEMORANDUM.—To the Khasay goods were caused to be brought from Bombay through Yeshwanta, son of Mahipati Yeolay, the Sirkar's courier. The Sirkar's permission was granted for the payment to him of Babashai money for the same. In accordance therewith what was paid in cash (was as follows):—The 26th lunar day, the month of Ziikad, the Soor Sun (year) one thousand two hundred and seventy-four. The (Hindoo) lunar date the 13th, the month of Poush Vadya, the Samvat (year) [1930 16th January 1874] Friday. Rupees 600.

In accordance with the above memorandum the Sirkar's permission was granted, while [the Sirkar] was in the palace before, for the payment of Rupees six hundred. The lunar date, the 13th of Poush Vadya, the Samvat (year) 1930 (16th January 1874).

Rupees 600 (six hundred) (in respect) of the above memorandum I have received in ready cash in full out the Khangri (private) treasury. By the hands of Salim Ali. The handwriting of Bhikaji Wishwanath Abetkur. At Salim's request (this) is given in writing.

[ TRANSLATION FROM MARATHA. ]

EXHIBIT F.1.

Shri (i.e., Prosperity, &c.)

Brought to account on the 21st lunar day, the month of Zilhez, that is, the month of Magh, the Samvat (year) 1930 (9th February 1874).

MEMORANDUM.—For purchasing and bringing goods from Bombay the Sirkar's permission was granted for the payment of machine-made money, for expenses to Yeshwanta, son of Mahipati Yeolay, a courier in the service of the Khasay. In accordance therewith Surat (rupees) were to be paid. The same were purchased in the bazaar at the place of business of Parakh Govardhan Dalpat and were delivered. For the same Babashai (rupees), together with exchange, were paid to Parakh in ready cash. The 21st day of the month of Zilhez, the Soor Sun (year) one thousand two hundred and seventy-four, that is, the (Hindoo) lunar date, the 8th of the month of Magh Vadya, the Samvat (year) 1930 (9th February 1874) Monday.

Principal machine-made (rupees) ...	...	200	0	0
For exchange at the rate of Rs. 18½ per cent.	...	37	8	0
		237	8	0

The above machine-made rupees two hundred were paid to both these persons (namely) Salim, the son of Ali, a trooper, and Mahadoo Kalay, a trooper in the service of the large Khas Paga. By the hands of the persons abovenamed themselves.

In accordance with the above memorandum the Sirkar's permission was granted for the payment of machine-made rupees two hundred. The lunar date, the 8th of Magh Vadva, the Samvat (year) 1930 (9th February 1874).

In respect of the above memorandum, machine-made Rupees 200 I have received in ready cash in full out of the Khangī (private) treasury. By the hands of Madhavrao and Salim. The handwriting of Madhavrao Kalay.

## [ TRANSLATION FROM MARATHA. ]

## EXHIBIT G.1.

Shri (i.e., Prosperity, &c.)

Brought to account on the 24th lunar day, the month of Sawal, that is, in the month of Margshirsh, the Samvat (year) 1930 (November-December 1873).

MEMORANDUM.—For bringing goods from Ahmedabad in accordance with the permission granted by the Sirkar what was to be paid for expenses to Salim, the son of Ali, a trooper receiving monthly wages, attached to the Khas Paga in the service of the Khasay, (were as follows:—) The Soor Sun (year) one thousand two hundred and seventy-four. The lunar date, the 11th of Kartik Vadya, the Samvat (year) 1930 [11th November 1873], Rupees 100.

In accordance with the above memorandum the Sirkar's permission was granted for the payment of Rupees 100. The lunar date, the 11th of Margshirsh Vadya, the Samvat [year] 1930 [11th December 1873].

(The text of what follows is in Guzerathi:—)

Rupees 100, namely, one hundred in respect of the said note were received by Salambhai, son of Ali, a trooper of the Khas Paga, attached to the large Khas Paga. The handwriting of Mathoor Raghoonath.—The mark (has been made) by the hand of the trooper himself. The lunar date, the 11th of Magsar Vadi (15th December 1873).

## [ TRANSLATION FROM MARATHA. ]

## EXHIBIT H.1.

Shri (i.e., Prosperity, &c.)

Brought to account on the 3rd lunar day of Zilkad, that is the month of Poush, the Samvat (year) 1930 (24th December 1873).

MEMORANDUM.—Fireworks and other things were sent for (to be brought) from Bombay through Salim, the son of Ali Arab, a trooper attached to the large Khas Paga employed in the message-bearing business of the camp. The Sirkar's permission was granted for the payment of Surat (i.e., machine-made) money for the charges thereof. In accordance therewith, Surat [rupees] were to be paid. The same were purchased at the place of business of Parakh Govardhan Dalpat in the bazaar, and were delivered. In respect thereof Babashai (rupees), together with exchange, were paid to Parakh. The 3rd lunar day the month of Zilkad in the Soor Sun (year) one thousand two hundred and seventy-four. The (Hindoo) lunar date the 5th of the month of Poush Shoodhya the Samvat (year) 1930 (24th December 1873) Wednesday.

Principal Surat (rupees) by the hands of the said Salim himself

For exchange at the rate of Rs. 18½ per cent. ...

300 0 0

56 4 0

356 4 0

In accordance with the above memorandum the Sirkar's permission was granted for the payment of Rupees three hundred and fifty-six and four annas.

The lunar date the 5th of Poush Shoodhya the Samvat [year] 1930 [24th December 1873].

In accordance with the above memorandum, machine-made Rupees 300 I have received in full. By the hands of Salim. The handwriting of Madhavrao Kalay.





8th of the month of Waishakh Shoodhya (the year) S. (Samvat) 1930 (24th April 1874).

Machine-made (rupees) for the purchase of fruit ...	200
Babashai (rupees) for the wages of a sipahi ... * for the month of	
Chaitra [March-April] ...	7
	<hr/> 207

In accordance with the above memorandum, the Sirkar's permission was granted for the payment of machine-made rupees two hundred and Babashai [rupees] seven, making together two hundred and seven. The lunar date the 8th of Waishakh Shoodhya [the year] S. [Samvat] 1930 [24th April 1874] at Nowsaree.

In respect of the above memorandum machine-made rupees 200 and Babashai rupees 7, making together rupees 207 two hundred and seven I have received in full. By the hands of Salim, the son of Ali, attached to the large Khas Paga. The handwriting of Wamonrao Jangli. The lunar date the 8th of Waishakh Shoodhya of [the year] S. [Samvat] 1930 [24th April 1874] the day of the week, Friday.

\* [Blank in the text.]

[TRANSLATION FROM MARATHA.]

EXHIBIT L1.

Shri (i.e., Prosperity, &c.)

**MEMORANDUM.**—The Sirkar's permission was granted for the payment of machine-made money to Salim, the son of Ali, a trooper attached to the large Khas Paga, for the purchase of fruit. In accordance therewith money was to be paid. The 8th lunar day, the month of Rabioolaval, the Soor Sun [year] one thousand two hundred and seventy-four, that is, the 9th of the month of Waishakh Shoodhya [the year] S. [Samvat] 1930 [25th April 1874], Saturday, machine-made Rupees 1,000.

In accordance with the above memorandum the Sirkar's permission was given face to face for the payment of machine-made rupees one thousand. The lunar date the 9th of Waishakh Shoodhya [the year] S. [Samvat] 1930 [25th April 1874] at Nowsaree.

In respect of the said memorandum machine-made Rupees 1,000 [one thousand] I have received in full. By the hands of Salim, son of Ali himself. The handwriting of Anaji Narayen Pendsay. The lunar date the 9th of Waishakh Shoodhya [the year] S. (Samvat) 1930 (25th April 1874).

[TRANSLATION FROM MARATHA.]

EXHIBIT M1.

Shri (i.e., Prosperity, &c.)

**MEMORANDUM.**—The Sirkar's permission was granted for the payment of Babashi money to Salim,\* a trooper attached to the large Khas Paga, for bringing goods from Bombay.

In respect thereof what was to be paid [was as below]. The month of Rabioolaval, the Soor Sun [year] one thousand two hundred and seventy-four, that is, the 30th of the month of Waishakh Vadya [the year] [Samvat] 1930 [15th May 1874] Friday. Babashai Rupees 200.

In accordance with the above memorandum the Sirkar's permission was granted for the payment of Babashai rupees two hundred. The lunar date the 14th of Waishakh Vadya of the year [Samvat] 1930 [14th May 1874] at Nowsaree.

In respect of the above memorandum Babashai Rupees 200 I have received in full. By the hands of (and) the handwriting of Madhavrao Kalay attached to the large Khas Paga. The date aforesaid.

\* The text of "son of Ali" is scored through.

† So in the original, the 14th being the same as the 30th of Waishakh Vadya.

[TRANSLATION FROM MARATHA.]

EXHIBIT N.1.

Shri (i.e., Prosperity &c.,)

Brought to account on the 22nd [Mahomedan] lunar day, the [Hindoo] lunar date the 9th of Jesht Vadya, the Samvat [year] 1931 [8th June 1874].

MEMORANDUM.—Fruit was caused to be purchased and brought from Bombay through Salim, son of Ali Arab. The Sirkar's permission was granted for the payment of money in respect thereof. In accordance therewith ready cash was paid [as below]. The month of Rabioo Akhir, the Soor Sun [year] one thousand two hundred and seventy-five, that is, the 9th of Jesht Vadya [the year] S. [Samvat] 1931\* [8th June 1874], Monday. Rupees 1,000.

In accordance with the above memorandum the Sirkar's permission was granted for the payment of rupees one thousand. The lunar date, the 9th of Jesht Vadya the Samvat [year] 1931 [8th June 1874].

In respect of the above memorandum Rupees 1,000 one thousand have been received in full out of the Khangee [private] treasury by Salim Arab. By the hands of the said Salim himself. The handwriting of Poorshotam Hari. At Salim's request [this] is given in writing. The lunar date, the 9th of Jesht Vadya, the Samvat [year] 1931 [8th June 1874].

\*Note.—On enquiry I learn that in the records of H. H. the Gaekwar, the new Samvat year begins four months earlier, viz. in Jeth, and that it is called Mragar. This date will, therefore, correspond to 8th June 1874.

(Sd.) NOWROOJI FURDOONJEE,  
Translator.

[TRANSLATION FROM MARATHA.]

EXHIBIT O.1.

Shri (i.e., Prosperity, &c.,)

Brought to account the 17th [Mahomedan] lunar day, the month of Jamadilawal, that is the intercalary month Ashadh [the year] S. [Samvat] 1931 [2nd July 1874].\*

MEMORANDUM.—Fruit was caused to be brought from Poona through Salim, son of Ali Arab, a trooper attached to the Khasay. The Sirkar's permission was granted for the payment of money for the same. In accordance therewith ready money was to be paid. The [Mahomedan] 17th lunar day the month of Jamadi-oolawal the Soor Sun [year] one thousand two hundred and seventy-five, that is, the lunar date the 3rd of the intercalary Ashadh Vadya [the year] S. [Samvat] 1931 [2nd July 1874], Thursday. Rupees 250.

In accordance with the above memorandum the Sirkar's permission was granted for the payment of Rupees two hundred and fifty. The lunar date the 4th of the intercalary Ashadh Vadya [the year] S. [Samvat] 1931 [3rd July 1874].

[The text of what follows is in Guzerati]:—

Written by Salim Ali agreeably to what is written above, Rupees 250 (namely, two hundred and fifty) have been received in full. By his own hands. The handwriting of Dalpatram Bapooji. At the desire of the party this has been given in writing.

[The text of what follows is in Mahrathi]:—

Nett machine-made	...	Rs. 250
For exchange at the rate of 19½	...	45½
		Rs. 298½

The above machine-made Rupees having been received from the Nowsari Swari account have been paid, including the exchange (in respect) thereof, Babashai money was paid in ready cash to the Nowsari Swari account. By the hands of Bhivba, son of Hanavant Rao Bacharay, Treasurer. The lunar date the intercalary Ashadh Vadya, 3rd, Thursday the (Mahomedan) lunar day the 17th (2nd July 1874).

\*Note.—On enquiry I learn that in the records of H. H. the Gaekwar, the new Samvat year begins four months earlier, viz. in Jeth (May-June), and that it is called Mragar. This date will, therefore, correspond to 2nd July 1874.

(Sd.) NOWROOJI FURDOONJEE,  
Translator.

## [TRANSLATION FROM MARATHA.]

## EXHIBIT P.1.

Shri [i.e., Prosperity, &amp;c.]

Brought to account the 24th lunar day, the month Rajab, that is the month Shrawan, the Samvat [year] 1931 [8th September 1874].\*

**MEMORANDUM.**—Through Salim, son of Ali, a trooper receiving monthly wages, attached to the large Khas Paga, serving under the Khasay. Articles [consisting of] fruit were purchased and brought from Ahmedabad to the Khasay. In accordance with the Sirkar's permission granted for the payment in ready cash of machine-made money as the price thereof, what was to be paid to the said Salim [was as follows]:—The lunar day\* the month Rajab the Soor Sun [year] one thousand two hundred and seventy-five, that is, the lunar date the 7th of the month of Shrawan Vadya, Wednesday [2nd September 1874]. Rupees [as follows]:—

\* Blank in the original.

Nett machine-made	...	...	...	100
For exchange at per cent.	...	...	...	19½
				<u>119½</u>

In accordance with the above memorandum the Sirkar's permission was granted for the payment of machine-made rupees a hundred. The lunar date the 7th of Shrawan Vadya Samvat 1931 [2nd September 1874].

[The text of what follows is in Guzerathi]:—

Bargir Salim, son of Ali, agreeably to what is written above, machine-made Rupees 100, namely a hundred, have been received in full. By [his] own hands. The handwriting of Shah Atmaram Ramdas [written] at the desire of the party.

\* Note.—On enquiry I learn that in the records of H. H. the Gackwar, the new Samvat year begins four months earlier, viz. in Jeth (May-June), and that it is called Mragsar. This date will correspond to 8th September 1874.

(Sd.) NOWROOJI FURDOONJEE,  
Translator.

## [TRANSLATION FROM MARATHA.]

## EXHIBIT Q.1.

Shri [i.e., Prosperity, &amp;c.]

Brought to account the lunar day the 1st of the month of Ashwin [the year] S. [Samvat\*] 1931 [18th October 1874].

**MEMORANDUM.**—Through Salim, son of Ali Arab, a Sipahi attached to the Khasay, fruit was caused to be brought from Ahmedabad. The Sirkar's permission was granted for the payment of the money for the same.

In accordance therewith ready money was paid [as follows]:—The lunar day the 1st, the month Ramzan, the Soor Sun [year] one thousand two hundred and seventy-five, that is, the lunar date the 3rd of Ashwin Shoodh [the year] S. [Samvat] 1931, Tuesday (13th October 1874). Rupees 200.

In accordance with the above memorandum the Sirkar's permission was granted for the payment of rupees two hundred. The lunar date the 3rd of Ashwin Shoodh [the year] S. (the Samvat) 1931 [13th October 1874].

Rupees two hundred (in respect) of the above memorandum. Given in writing at the desire of Salim. The handwriting of Keshao Balkrishna Boochkay now at Baroda.

The signature of Salim.

\* Note.—On enquiry I learn that in the records of H. H. the Gackwar the new Samvat year begins four months earlier, viz. in Jeth (May-June), and that it is called Mragsar. This date will correspond to 13th October 1874.

(Sd.) NOWROOJI FURDOONJEE,  
Translator.

## EXHIBIT R.1.

Shri (Glory).

**MEMORANDUM.**—From the Officer of the Lighting Department to Rajmanya Rajshri, the Officer of the Sirkar's Khangi (private treasury). That the discount for the Godra oil supplied through the Kothi by Lallu Narotum Wani has been received at Rupees 11-4. The payment of the same for six months' for

Samvat (year) 1930 from Magshirsh up to Vaishakh (December 1873 to May 1874). Through. On account of (batta) discount on payment of

	Rs.	A.	P.
Lalla Narotum as per note from Phadnis (for) Rupees 8,697-12-0	...	073	8 0
For Kasar (saving)	...	878	4 8
		1,856	12 8

Altogether one thousand eight hundred and fifty-six, twelve annas, and pies three, deducting from this Rupees 25 per month for the lantern on the Mandvi Tower—total Rupees 150 for six months. There remain Rupees 1,706-12-3 (one thousand seven hundred and six, twelve annas, and three pies) paid. Dated Magshirsh Vadh 9th, Samvat (year) 1931 (1st January 1875).

(Sd.) NANAJEE VITHUL BEDEKAR.

(Endorsement).—The Sirkar has ordered that the sum of Rupees 1,706-12-3 received from the Lighting Department be credited as per said yadee. Dated Magshirsh Vadh 10th, Samvat 1931 (2nd January 1875).

#### EXHIBIT S.1.

MEMORANDUM.—To the Jamdar (Treasurer) of Purchase and Cash Department from the Jewel Department. Mohurs and putlies (gold coins) given on account of the nuzzerana are received through. The cash received on that account in the Soor Sun (year) Khamas Sabayin Mayatain and Alif Samvat [year] 1931 [1874-75].

Twenty Mohurs [given to] Dadabhai Nowroji, the Parsee Dewan, for nuzzerana on account of his installation as Dewan at Rupees 15. Dated Bhadrupudum Shud 3rd [13th September 1874]

Rs. A. P.

800 0 0

To Javerlal Ranchod Bhatia Choksi, Putlies (coins) seven hundred and seventeen, weighing tolas 125-1 at Rupees 13 per putli. Dated Margshirsh Shud 6th (December 14th, 1874)

1,626 1 0

Total ... 1,926 1 0

Altogether Rupees 1,926-1-0 to be paid.

Dated Magshirsh Vadh 7th [December 30th, 1874].

(Sd.) NANAJEE VITHUL BEDEKAR.

(Endorsement).—The Sirkar has given permission that Rupees 1,926-1-0 be credited in the account of the Khangi Jamdar (Private Treasurer). Dated Magshirsh Vadh 8th Samvat year 1931 (31st December 1874).

#### EXHIBIT T.1.

Shri (Glory).

MEMORANDUM.—The Sirkar made an order to pay to Rameshwar in cash the expenses of dinner, together with the dakshina (distribution of money in charity), the dinner to be given through Rameshwar Morar to two thousand and five hundred Brahmins at the Swami Narayan's Temple on account of His Highness' vows. Paid accordingly in cash in the Sur Sun year Khamas Sabayin Mayatain and Alif Samvat (year) 1931 month Jilkad, corresponding to Magshirsh, Chandra 21 Vadh 8th (31st December 1874), Thursday, Rs. 3,632-13-3.

(Endorsement).—The Sirkar ordered payment in accordance with the above memorandum of Rs. 3,632-13-3. Accordingly His Highness, wetting the coins at the place of bathing, gave this day, dated Magshirsh, Vadh 8th Samvat (year) 1931 (31st December 1874).

#### EXHIBIT U.1.

Entry under date Shrawan Wadya 11th Samvat 1931 (6th September 1874).

Rupees 119-8-0.—(In the original the words which follow here are blotted with ink and are illegible) through Khasi goods (articles) purchased and brought from Ahmedabad. For the price for the same, machine-made rupees were paid out of the Nowsaree Swari account, together with its exchange (paid) in cash in Babashai currency to the Swari account by the hands of Bhivba Jamdar as per yad.

**EXHIBIT V.1.**

Entry under date Jesht Wad 9th Samvat 1931, Monday (8th June 1874).

Rupees 1,000.—Credited after being debited. Fruit was purchased and caused to be brought from Bombay through (the words which follow here in the original are blotted with ink and are illegible). The price payable for the same was caused to be paid by the said Parakh, is on the said date debited as expended and is credited here.

**EXHIBIT W.1.**

Entry under date Ashwin Sood 3rd Samvat 1931, Tuesday (13th October 1874).

Rupees 200.—Expenses on account of purchases for the Sillikhan for fruit for His Highness purchased and caused to be brought from Ahmedabad through (the words which follow here in the original are blotted with ink and are illegible). The Sirkar's permission was given for paying the money for its price, accordingly paid in cash in the hands of himself the said Salim as per *yad*.

**EXHIBIT X.1.**

Entry under date Adhik (intercalary) Ashad Wndya, 3rd Thursday Samvat 1931 (2nd July 1874).

Rupees 298-12-0.—Fruit caused to be brought from Poona through (the words which follow here in the original are blotted with ink and are illegible). In regard to which the Sirkar's permission was given for paying machine-made money. Accordingly money in Surati coins was to be paid. This money was caused to be paid out of the balance of machine-made money on account of the Nowsaree Swari. In regard to the same Babashai money was paid together with exchange to the Swari account in cash by the hands of Bhiva Wullud Hanmuntrao Bochre Jamdar as per *yad*.

**EXHIBIT Y.1.**

MEMORANDUM showing the expenses (necessary) for feeding 1,500 Guzera-thi Brahmins through Rameshwurbhaee at the temple of Swami Narayan on account of finishing the Brahmin feeding and Dumataya (feeding the pairs) and giving of charities connected with the intercalary month. The money to be given in cash to Rameshwurbhaee (Sur Sun year) Samvat 1931\* 2nd, Ashad Shud 3rd, Thursday, (16th July 1874.)

\* Moorgsar.

Rupees 1,125 for net articles at 12 annas per head, total.  
 „ 375 for distributing charity money at the time of dinner per each 4 annas.

1,500 The Sircar has ordered payment of Rupees  
 † Moorgsar. — 1,500 for Brahmin feast according to the said yadee. Dated Ashad Shud, 3rd Samvat 1931† (16th July 1874.)

[In Guzerathi.]

Written. Payment by Rameshwur Morarjee to wit.  
 The money of this memorandum has been received in full, in the hand-writing of Bholanath Poonjaram through him.

**Translation of EXHIBIT Z.1.**

DAMODHUR TRIMBUCK NENE, Brahmin, age—, Khangi Kamdar or Private Secretary to Mulharrao Maharaj, states:—

Yeshwuntrao Yeole, Salim and Rowjee were concerned in poisoning Colonel Phayre. In the month of Ashwin last, about the time of the Dusserah [20th October 1874], the Maharaja asked me to procure some arsenic from the Foujdaree, on the ground that he wanted it for itch, and he desired me to say at the Foujdaree that it was wanted for giving medicine to a horse. I could not get any arsenic at the Foujdaree, and on my telling the Maharaja, he desired me to get it from the Camp. I told him it wanted a pass. He said never mind about it. I thereupon got two tolas of arsenic from Nooroodin Borah, the Maharaja having told me to promise him a monopoly of the supply of medicine to the Sillikhana. He did not say whence he procured the arsenic. I took the arsenic to the Maharaja, and asked him to whom it should



be given. He desired me to give it to Salim, and that he (Salim) would, as instructed, prepare the medicine to be made from it. I accordingly gave it to Salim. I don't know when he brought it here. Afterwards the Maharaja desired me to get one tola of diamonds to be burnt and reduced to ashes. I ordered Nanajee Vithul to get one tola of diamonds and deliver them to the Maharaja. He brought me the diamonds, and I showed them to the Maharaja, who desired me to take and deliver them to Yeshwunt. Up to this time I did not know they were required for this purpose. The Maharaja said they have been ordered for the purpose of making a crown for the Swami of Akulote. After a few days the Maharaja again asked for another tola of very small diamonds. I thereupon desired Nanajee to get them. He brought some diamonds and some very small diamonds. That evening either he or Vinayek-rao gave them to me. I asked the Maharaja what was to be done with them. Thereupon he desired that they should be given to Yeshwunt. When I gave the small diamonds to Yeshwunt I asked him what he was going to do with them. He said I am going to take them for the purpose of pounding them fine and giving (the same) to Colonel Phayre. This took place about five or six days before the attempt to poison Colonel Phayre became known. On that day I accompanied the Maharaja as far as the Shevak's Dharamsala, where the Maharaja took me up in his carriage. And on his return he told me at once that the poisoning of Colonel Phayre by arsenic had become publicly known. He said that the attempt to administer poison through Salim and Yeshwunt had been divulged. Salim used always to be coming and going to and from the Residency day and night (i.e., constantly) from the time that Rowjee was corrupted by bribery. That day he was there early in the morning, and the Maharaja told me that when this matter transpired, Salim went to Rowjee's house to get any of the packets of arsenic that might have been left and to throw them into the fire-place where the old woman was cooking. But as Rowjee did not trust Salim, he himself ran to throw those packets away. But whether he did so or not I did not learn. I asked the Maharaja how this matter came to light? He said it came to light because Nursoo Jemadar was not there on the watch. Because he used to keep watch and whistle to give the alarm; and as he was not there that day early in the morning, the matter became known. The Maharaja had come earlier than usual. I went home, and Nana Sahib and the Maharaja were discussing together that day at noon at Luxmeebaec's house. At noon Nana, the Maharaja, and I went out in a carriage, and the Maharaja said they should be on the look out about the matter they had been discussing. The next day the Maharaja desired Salim and Yeshwunt in the Palace to keep him well informed of what was going on. He afterwards told me and Nana Sahib in the carriage to keep him well informed, and so saying stated that Rowjee had been released, and that he was a very clever man and a liar. As he has been released he (the Maharaja) is now under no apprehension, because the proof of the evidence has disappeared. After Colonel Phayre's removal and after Colonel Pelly's arrival, the Maharaja told me one day that Rowjee was standing on the road and was making signs to Salim to the effect that he (Rowjee) wanted some present from the Maharaja, but that he had told him that nothing could be done in that matter until the termination of the enquiry; but that he would hereafter try to do something about it. After Mr. Souter's arrival he went back without seizing Rowjee. Thereupon the Maharaja used to say that it was well Rowjee had not been seized, and that now there was no cause for fear. Then when Rowjee was seized he told me he had heard of it, and that it was a bad occurrence. Afterwards (he heard) of Rowjee having been pardoned and of his having confessed everything. He then said if any other persons be arrested they should not confess; and he enjoined me not to confess even if I died, and as to other persons who might be acquainted with this matter, they had also been similarly enjoined. He further told me that he had enjoined Nana, Harriba Dada, Salim, and Yeshwunt. When the order came from the Residency for the transmission of Salim and Yeshwunt at noon, I met Nana Sahib who told me that the order had been received, and that it is necessary to send them, and that similar orders would be received for sending you and me (i.e., Nana and Damodhur). In the evening the Maharaja told me that the two men had been sent to the Residency, and that he had enjoined upon them not to confess even though they were killed and cut to pieces. When Yeshwunt and Salim were released, and a note was received again

to send them back, the Maharaja sent for Yeshwunt and told him not to say anything, and desired him to take Salim with him and to go to the Residency. The next day the Maharaja told (me) to act as Govindrao Kale, who was cut to pieces but would not confess; and he had given the same injunctions to Nana and Hariba Dada. I heard from Nanajee Vithul that the diamonds were procured from Hemchund. Nanajee Vithul had money, being balance of the kasar or saving account. I asked the Maharaja to sanction payment of the value of the diamonds. By his orders Rupees 3,500 were credited in the khangli or private book, and were debited to the Swami Narayan as spent for feeding Brahmins. The value of the diamonds was Rupees 7,000, in part payment whereof Nanajee paid a moiety, and the same amount, Rupees 3,500, was not entered in the account in the name of the jeweller, but was entered as paid for a feast to the Brahmins. At first when the diamonds were purchased, they were entered in the account as bought for the Sillikhana for medicinal purposes, and when the attempt to poison was discovered, I asked the Maharaja whether it should be *specified in the account*. (The words interlined here are erased in the original by drawing a line through them.) That the diamonds were to be burnt and converted into medicine as he had stated. Thereupon the Maharaja said, no, and said that the account should be torn up. I told Nanajee Vithul to do so; and he having informed me that he had done so, I informed the Maharaja. The account was not (entered in a book, but was entered, as is our custom, on separate sheets (of paper). When I first ordered the arsenic from the Foujdaree, Hormusjee Wadia, who was in charge, said he would give it after having consulted the Maharaja. I therefore did not ask him again for it. The note regarding the arsenic, bearing my signature, remained in the records of the Foujdaree. Gunputrao Bulwunt said there was no objection to its remaining there, because it is stated in the account that the arsenic had not been given. When Dadabhoj wanted to get a return of the quantity of arsenic sold, the matter was mentioned by me to the Maharaja, who thereupon wanted to know why the return was required, and ordered that it should be given. I then asked Gunputrao Bulwunt to return my note, when he told me there was no reason to entertain any apprehension about it. Enmity against Phayre Sahib was the chief origin of this design in the Maharaja's mind; and that enmity increased since Luxmeebae's marriage came under discussion. At Nowsaree, one night, I saw Rowjee bringing secretly some Government papers, which he had stolen, into the Maharaja's room. The Maharaja thereupon sent for me and desired me to make a copy of the said papers in the presence of Rowjee. Salim was with Rowjee and the Maharaja. The papers related to the case of Jumnabai. They consisted of the memorial of Jumnabai to Government, which had come to Phayre Sahib for report, and Rowjee had stolen them and had brought them to the Maharaja at 10 o'clock at night. Having copied them till late, I returned them to Rowjee at 2 o'clock. I tore up the copy, because I was afraid of being arrested at Surat in connection with the charge brought by Luxmeebae's husband. Afterwards at Baroda Colonel Phayre had fever and a boil on his forehead. At that time I heard the Maharaja talking to Salim in the picture-room, and Salim was telling him that a plaster had been applied by Colonel Phayre, but that he having felt it burning, had taken it off. Salim informed the Maharaja that Rowjee had prepared that medicine. At the same time, *viz.*, when the Resident had the open wound, the great physician's younger brother brought a bottle of poison; but as we were present there, he did not give it at that time; and it appeared he might have wanted some money for it. In the evening the Maharaja desired me to procure some blister flies and to send them to the younger brother of the great physician. He desired me to send some Waghries (bird-catchers) through the Foujdaree to catch some flies and take them to the physician. I accordingly communicated it to Narayan Rao Vakaskar, who is in the Foujdaree. The next day early in the morning the Maharaja said to Hariba in my presence that the physician's younger brother wanted some snakes for making medicine. The snakeman came and brought the snakes two or three days afterwards, and I desired him to take them to Hariba before taking them to the physician. Narayan Rao showed me the flies that had been brought by the Waghries; and the next day Goojaba, a servant of Nana Sahib, came and showed me some flies of the same kind. I desired him to take them to the physician's brother. At the same time the Maharaja told me that the physician's younger brother wanted the urine of a black horse. Thereupon I gave orders to Bapajee, Kamgar of the Khas Paga, to take some

urine of a black horse to the physician's brother. At the same time some arsenic was given from the Foujdaree, but not through me. I do not know how much was given. Had I known of its being given, I would not have procured it from the Borah. Some days after the delivery of those articles to the brother of the physician, the physician's brother brought the bottle of medicine, but he got nothing for it. The Maharaja wanted the medicine, but he did not wish to pay what the man demanded for it. He therefore suggested to Nana Khanvelkar to take out some of the medicine contained in the bottle, and a day or two after, about nine o'clock at night, Goojaba came to me with the bottle prepared by the physician, saying he had taken it to the Maharaja, and that he had ordered him to bring it to me, and that I was to take some medicine out of it and to keep it till the next day and then to give it to Salim. I poured the medicine out of the physician's bottle into a small bottle which had contained attar, and gave the bottle to Goojaba. The next day Salim came to my house at 9 o'clock, when I gave him the bottle to take to Rowjee to poison the sahib. I understood this perfectly at the time, but I did not tell Salim to give it to Rowjee.

There were three separate attempts to poison Colonel Phayre:—

The first attempt was to poison by means of the physician's medicine.

The second attempt was to poison the plaster for Colonel Phayre's boil.

The third attempt, to put in arsenic, was that which has been discovered.

The arsenic which was given to Salim first was to poison the plaster.

Twice I brought arsenic from Noorodeen Borah by order of the Maharaja, two tolas on each occasion. When the report of the poison transpired, I asked Noorodeen if he had entered the arsenic in my name. Noorodeen told me that the Borah in the camp from whom he had bought it had not at first entered it in any one's name; but the second time he had entered it as given to Noorodeen for the Khangiwalla, and he wanted Rupees 200 for it. I told Noorodeen to pay the 200 rupees. I knew that when Noorodeen got the Sillikhana business, it would be adjusted in the account. I think he did not give him the money. I don't know the Borah in the camp, but I know he lives in the city. After the report of the poisoning had spread when I first mentioned the matter to Nanajee Vithul, I found that he had suspected that the diamond had been purchased for the purpose of poisoning Mhalsabae, against whom Luxmeebae had enmity, and I told Nanajee at the time to conceal anyhow this transaction in the accounts.

Before me 29th January 1875,

(Sd.) J. B. RICHEY.

Taken before SIR LEWIS PELLY, Agent to the Governor General and Special Commissioner, CAPTAIN SEGRAVE, and CAPTAIN JACKSON.

I have read the above deposition. This is the deposition which I gave before Mr. Richey. The above particulars are true, and the above is a true translation thereof.

4th February 1875.

[Sd.] DAMODHUR TRIMBUCK NENE.  
His own handwriting.

(A true translation.)

[Sd.] NOWROJEE FURDOONJEE,  
Translator to the Commission.

Baroda, 18th March 1875.

(In English.)

The above statement has been read through aloud, by Damodhur Trimluck, Brahmin, and has been declared by him in my presence to be a correct account of what he stated before Mr. Richey on the 29th January 1875. The said Damodhur Trimluck, Brahmin, has with his own hand signed the statement, as above, in my presence, this 4th February, 1875.

LEWIS PELLY,

Agent, Govr. Genl. & Special Commissioner.

Residency, Baroda, 4th February 1875.

The said Damodhur Trimluck, in course of reading the above statement, made some verbal corrections in his own handwriting.

LEWIS PELLY,

Agent, Govr. Genl. & Special Commissioner.

Baroda, 4th February 1875.

---

EXHIBITS.

---

A 2 Series.

---

JOHN JARDINE,  
Secretary to the Commissioners

**Exhibit A.2.**

Translation of Gujrathi entries in a Jagad Nond Book, marked A.2.

DEBITED to the account of Shrimant Sirkar Mullar Rao Gaekwar, the 14th of Aso Vad (7th and 8th November 1874).

\* This name is incorrectly spelt in Gujrathi, and may therefore be read either Naranji or Nanaji.

Naranji or Nanaji\* himself has delivered (them) to Damodhar Punt.

300 Valandi (Rose) diamonds (weighing) 69½ ratis	
at Rupees 40	Rs. 2,770
250 Valandi (Rose) diamonds (weighing) 70 ratis	
at Rupees 50	„ 3,500
Returned Parab coloured diamonds (weighing) 44½ ratis at Rupees 35	„
Total	Rs. 6,270

Pemanand Naranji, 14th of Aso Vad (7th and 8th November 1874).

One Ruby finger ring enamelled. Taken away for the purpose of wearing, price Rupees 21.

(A true Translation.)

(Sd.) NOWROJEE FURDOONJEE,

Translator and Interpreter to the Commission.

Baroda, 15th March 1875.

Translation of Gujrathi entries in a book called Jangad Vahee for Samvat year 1930 (1873-74), marked A.2.

(Returned.) DEBITED to the account of Shrimant Sirkar Mulhar Rao Gaekwar, the 30th of the first Asad Vad (13th July 1874). For approval.

- (Returned.) 1 Diamond ear-ring. The amount of its price (is) Rupees 18,000.  
 1 Diamond, ratis 5½, anna 1.  
 1 Diamond, 1 ratis 5½.  
 1 Ruby, ratis 1½.
- (Returned.) 1 Pair of ear-rings of pearls. For approval, Rupees 2,500.  
 2 Pearls, Chavas.  
 2 Flat Pearls.  
 2 Pearls.  
 For gold setting and for making, Rupees . . .
- (Returned.) 1 Pearl Necklace or string called *Kanthi* for a head ornament. Delivered to Rowjee through Raja-bri. The amount of its price is Rupees 2,100.
- (Returned.) 1 Emerald neck ornament, called *Gosala*, ratis 15½, for repairing.

(A true Translation.)

(Sd.) NOWROJEE FURDOONJEE,

Translator to Baroda Commission.

Bombay, 20th March 1875.

**Exhibit B.2.**

(Before J. B. RICHY, J. P.)

Residency Baroda, 29th January 1875.

DAMODHUR TRIMBUCK, Brahmin, late Secretary to His Highness Mulhar Rao Gaekwar, states:—

Yeshwantrao Yeole, Salam, and Rowjee were concerned in the poisoning of Colonel Phayre. In the month of Ashwin about the Dussara the Maharaja asked me to procure some arsenic from the Foudaree, where it is kept, giving as cause that he wanted it for itch, and told me to say at the Foudaree that it was wanted for a horse. I could not get any at the Foudaree, and told the Maharaja, who told me to get it from Camp. I told him it wanted a pass; he said no matter about the pass.

I got two *golas* of arsenic through Nooruddin Borah, the Maharaja having told me to promise him a monopoly of the supply of medicine to the



Sillekhana. He did not at first say whence he procured it. I took the powder to the Maharaja, and asked him whom it was to be given to. He told me to give it to Salam, who would prepare the medicine to be made from it. *I gave it to Salam.* I don't know why he brought it here. Afterwards the Maharaja told me to get one tola of diamond to calcine and make ash of. I ordered Nanajee Vithul to get a tola of diamonds and bring it to the Maharaja. He brought me the tola of diamonds, and I showed it to the Maharaja, and he told me to take it to Yeshwant. Up to this point I did not know that it was wanted for this purpose. The Maharaja said at first it would be to make a head ornament for a Swamee at Akulkote. Afterwards again the Maharaja asked for another tola—this time *diamond dust*. I told Nanajee to get it, and he brought some diamonds and some diamond dust, and either he or Venayekrao came and gave it me in the evening. I asked the Maharaja what was to be done with it, and he told me to give it to Yeshwunt. *When I gave it to Yeshwunt* I asked him what he did with these diamonds that were being given him, he said they were pounded and rubbed fine and given to Colonel Phayre. This took place about five or six days before the attempt to poison Colonel Phayre became known. On that day I had accompanied the Maharaja as far as the Sewuk's Dhurumsala, when the Maharaja picked me up in his carriage on his return. He told me out at once that the poisoning by arsenic of Colonel Phayre had become known. He said that the attempt to administer poison through Salam and Yeshwant had become known. Salam used always to be coming and going to and from the Residency *day and night*\* from the time that Rowjee was corrupted for the purpose of sending information. He was here on that morning, and the Maharaja told me that when the matter came out Salam had run off to Rowjee's house to get any of the powder that was left and throw it in the fire where the old woman was baking, and that as Salam was not fully trusted by Rowjee, Rowjee himself had gone to throw it away; whether he did or not, I did not further hear. I asked the Maharaja how this happened to be found out, he said that it was because Nursoo Jemadar was not there to be on the watch. He used to keep watch and whistle to give the alarm, and as he was not there that morning, the thing was found out. The Maharaja had come earlier than usual. I went home, and that afternoon, in Luxmeebaee's house, Nana Sahib and the Maharaja discussed together. In the afternoon Nana and the Maharaja and I drove together, and the Maharaja said they must be on the look-out about the matter that they had been discussing. The next day the Maharaja told Salam and Yeshwunt in the Palace to keep well-informed of what was being done, and afterwards in the carriage drive told Nana and me to keep ourselves well-informed, and said that Rowjee had been let go, that he was a clever scoundrel, and that now there was no fear as "our principal evidences†" was let go. After Colonel Phayre had gone and Colonel Pelly came, one day the Maharaja told me that Rowjee had stood on the road, and made signs to Salam that he wanted some present from him (the Maharaja), but that he had told him he would do nothing now, but that when the case was entirely disposed of, he would do something for him.

At first after Mr. Souter came, and Rowjee was not seized, and Mr. Souter was said to have gone, the Maharaja used to say that as Rowjee was not seized, it was all right, and there was no cause for fear. Then, when Rowjee was seized, he told me he had heard of it, and that it was a bad business; then he heard of Rowjee having taken a pardon and confessed, and told me to make arrangements that any others who might be arrested should *not* confess, and enjoined upon me not to confess even if I died for it, and told the others who knew, informing me of it. He told me that he had warned Nana, Hariba Dada, Salam, and Yeshwunt. When the order came from the Residency asking for the surrender of Salam and Yeshwunt on that afternoon, I met Nana Sahib, and he told me that the note had come, and that they would have to be sent, and that soon notes would come to send us, *viz.*, Nana and Damodhur. In the evening the Maharaja told me that the two men had been sent to the Residency, and that he had enjoined upon them not to confess, though they were torn in pieces.

\* Idiomatic—"constantly."

† "Moodyacha manus."



When Yeshwunt and Salam were let go back, and another note came again asking for them, the Maharaja sent for Yeshwunt and enjoined silence upon him again, and told him to take Salam and go to the Residency. The next day the Maharaja told me to act as Govindrao Kali, who was torn in pieces, but would not confess, and he gave the same injunction to Nana and Hariba as he informed me.

The diamonds, I heard from Nanajee Vithul, were brought from Hemchund. Nanajee Vithul had the balance of the "saving" [*kussur*] account, and when I asked the Maharaja to sanction the payment for the diamonds, the following arrangement was made by his order. The Rupees 3,500 or so of the "saving" account were credited in the khangee, and a corresponding debit was made in the account of Swamee Narayen's Brahmins' feeding.

The diamonds were worth about Rupees 7,000, so half payment was made by Nanajee Vithul, giving the jeweller the Rupees 3,500 which was entered in the accounts as paid for the Brahmins' dinner.

At first when the diamonds were bought they were entered in the accounts as bought for the Sillekhanah for medicinal purposes, and when the poisoning was discovered, I asked the Maharaja whether diamonds could be used for medicine, as he said, by burning them. He said they could not, and directed the entries in the accounts to be torn up. I told Nanajee Vithul, and he informed me he had done it. I told the Maharaja. The account was not in a book, but, as is the custom, on a loose paper. When I first asked for arsenic from the Foujdaree, Hormusjee Wadia was in charge, and he said he would refer to the Maharaja before giving it, so I did not ask him again. The note asking for it under my signature was left in the record of the Foujdaree as I was informed by Gunputrao Bulwunt, who also told me that there was no reason to mind its being there, as there was an entry in the record that the arsenic had not been given.

When Dadabhai wanted to get a return of the sale of arsenic the matter was brought before the Maharaja, who wanted to know why the return should be sent, but decided that it must be given. I then asked Gunputrao Bulwunt about our note, as above, and asked him to give it back, when he told me, as above, that there was nothing to fear.

The enmity against Colonel Phayre was the origin of this design in the Maharaja's mind; it increased much when Luxmeebaee's marriage was under discussion. At Nowsaree one night I saw Rowjee bringing some Government papers which he had stolen into the Maharaja's private room: the Maharaja sent for me and told me to copy the papers Rowjee had brought at once in Rowjee's presence. Salam was with Rowjee and the Maharaja. The papers were about Jumnabae's business; it was the memorial of Jumnabae, which had come to Colonel Phayre for report, and Rowjee stole and brought to the Maharaja. He brought it about 10 o'clock, and I was copying it till late. I gave it back to Rowjee about 2 o'clock. I destroyed the copy because I was afraid of being stopped and arrested at Surat in connexion with the charge brought by Luxmeebaee's husband. Afterwards, at Baroda, Colonel Phayre had fever, and a sore on his forehead from the fever. At that time I heard the Maharaja talking to Salam in the picture-room, and Salam explaining that the plaster had been applied by Colonel Phayre, but that he had felt it burn and had torn it off. Salam told the Maharaja that Rowjee had told him as above, and that it was Rowjee who had doctored the plaster.

At the same time, namely, when the Resident had the open wound, the big physician's younger brother brought a bottle of poison made up by the physician, but as there were many of us present, he did not give it that time, and he may also have wanted something for it.

In the evening one day, when Colonel Phayre had the boil on his forehead, the Maharaja told me to get some blister flies to send to the younger brother of the big physician. He told me to send through the Foujdaree, and have the Wagries sent to catch some flies and taken to the physician. I told Narayenrao Wakusker, who is in the Foujdaree, accordingly.

The next morning the Maharaja told Hariba, in my presence, that the physician's younger brother wanted some snakes to make medicine. The snake-man came to me two or three days after, saying he had the snakes that had

been ordered, and I told him to take them to Hariba, and take his order before going with them to the physician.

Narayenrao brought the blister flies taken by the Waghries and showed them to me, and the next day Goojaba, a servant of Nana Khanvelkur, came and showed me some blister flies of the same kind, and I told him to take them to the physician's brother and submit them for his approval. About the same time the Maharaja told me that the physician's younger brother wanted the urine of a black horse, and I gave orders to Bapajee, the kamdar of the Khas Paga, to take some urine accordingly to the physician's brother.

At the same time some arsenic was given from the Foujdaree, but not through me. I don't know how much was given. Had I known of its being given, I would not have got some more from the Borah. Some days after the supply of these articles the physician's brother brought the bottles, as above stated, not getting what he wanted for it.

The Maharaja wanted the stuff, but did not want to give what the man demanded, so suggested to Nana Khanvelker to get some of the contents of the bottle, and a day or two after, about 9 o'clock at night, Goojaba came to me with the bottle which the physician had made up, and told me that he had taken it to the Maharaja, and that he had been ordered to bring it to me, and that I was to take some out of the bottle, and keep it till the next day, and then give it to Salam. I poured some out of the physician's bottle into a small bottle of mine, which had held attar, and gave the other bottle back to Goojaba, and the next day Salam came to my house about 9 o'clock, and I gave him the bottle to take to Rowjee to poison the sahib. This I understood perfectly, though I did not tell Salam to give it to Rowjee.

There were three distinct plots to poison Colonel Phayre:—

1st.—By the physician's stuff.

2nd.—By poisoning the plaster for Colonel Phayre's boil.

3rd.—By the arsenic which was discovered.

The arsenic that was first given to Salam was to poison the plasters.

Twice I got arsenic from Nooruddin Borah by order of the Maharaja, on each occasion two tolas. After the poison business came out I asked Nooruddin whether he had entered the arsenic in my name; he told me that the Camp Borah, from whom he had bought it, had not entered it at all in any one's name, but the second time had entered it as given to Nooruddin for the "Khangee-walla," and now wanted Rupees 200. I told Nooruddin to give Rupees 200 to him, knowing that when Nooruddin got the Sillekhanah business it could be adjusted in the accounts. He did not give the money I believe. I don't know the Camp Borah, but he lives in the city.

After the poison business had come out, when I first talked on the subject to Nanajee Vithul, I found that he had suspected that the diamond dust was intended to be used to poison Malsabae, against whom Luxmeebae has a hatred. I told him at that time about the account business by which the transaction was to be concealed.

Before me, 29th January 1875,

(Sd.) J. B. RICHEY.

TAKEN in the presence of the following Officers:—

Sir Lewis Pelly, Agent, Governor-General.

Captain Segrave.

Captain Jackson.

Interpreted by me to Damodhur Trimbuck Nene, who acknowledges it to be what he stated.

(Sd.) R. G. DESHMUKH, Sub-Judge.

Baroda, 2nd February 1875.

INTERPRETED by R. G. Deshmukh in my presence.

(Sd.) LEWIS PELLY,  
Agent, Governor-General.

Baroda, 2nd February 1875.

## Exhibit C.2.

Examination of DAMODHUR TRIMBUCK resumed 30th January 1875 :—

YESHWUNTRAO used to take money to give in bribes to the servants, but latterly Salam took the money from the private account, and it used to be debited to fruit from Ahmedabad, &c., fireworks, &c., always some fictitious entry. I should think he must have taken 2,000 or 3,000. Bulwantrao Rowjee used to write the private accounts under my instructions, as I had charge of the money, and made payments by the Maharaja's orders. When money was to be paid to Salam for the above purposes, the Maharaja gave me general orders to make such fictitious entries.

The Maharaja told me after the poison business came out, and Yeshwantrao and Salam had been caught, that if there were any suspicious entries left in the accounts they should be altered, or erased, or concealed. On this order I told Bulwantrao to dispose of suspicious items accordingly. He assented, but in a day or two came and said that the accounts were not such as could be so tampered with. I consulted Madhoorao, another Karkoon; and finally ink was to be poured on the items in question; and I told him to blot in the same way other items also, so as to avert suspicion from the particular entries. I saw one such blotted item, which Bulwantrao showed me as a specimen. I understood this much about the fictitious items, that the fruit, &c., was not ever really brought, but the money was given to Salam to use in bribery at the Mahadency. This practice of bribing through Yeshwunt and Salam had been in force for about a year and a half.

About four months ago one lac and twenty thousand Babasaye rupees was paid to Premchund Roychund through Ootemchund Jeweree. An anklet was bought from Ootemchund, and the above sum was paid to him in excess of its value. Moro Punt, Nana Khanvelker's servant, was engaged in the business, which was to get recognition of Luxmeebaee's child by Government; it was said to be for a bribe to Mr. Gibbs. I thought that Premchund kept the money, as I heard that he had redeemed Rupees 60,000 worth of property out of mortgage, and I suspected it was with this money.

Ootemchund, Premchund, Moro Punt, and the Maharaja were upstairs together. When the Maharaja came down he told me that 8½ lacs were to be paid for the anklet,—one lac and twenty thousand to be paid *at once*, and the rest afterwards. The anklet had been given before this passed. The anklet was in the jewel-room, and Nanajee Vithul, jewel-keeper, was instructed by both the Maharaja and me to send in his note for the payment of the sum settled, *viz.*, 8½ lacs from the Khangee. His note would be cashed in the Khangee by the Maharaja's verbal order, the cash being drawn from a State shop as a general rule. In the Khangee day-book it will be seen where the cash came from.

In connexion with the same intrigue for the recognition of Luxmeebaee's marriage and her son's legitimacy, a Baboo, who was brought by Motilall Dulpatram and Moro Punt, who was paid two sums of about Rupees 25,000 and 20,000 in Government notes, which were brought from Bombay by Ootemchund in Rupees 1,000 notes.

The Baboo came twice and received the money as above on the two occasions. These items may perhaps appear in the day-book with Luxmeebaee's signature, as she used to sign sometimes for the Maharaja.

The Baboo came from Calcutta and talked in English with Motilall, who would interpret to the Maharaja.

When the Baboo came first there was a meeting at Mukhunpoora, and there were present—

The Maharaja,  
Nana Khanvelker,  
Motilall Dulpatram,  
The Baboo,  
Moro Punt,  
and myself.

Rupees 25,000 were given him there, and a promise of a large reward if the matter were carried through successfully. On the second visit of the Baboo, when he was paid Rupees 20,000, the money was given by me at the Maharaja's

order to Moro Punt, and I know nothing of what became of it, but it was to be given to the Baboo.

All the criminal proceedings in which the Maharaja was engaged originated with himself; he did not act under any one's advice that I know of. I speak now of the matters of which I was personally cognizant. I know that Bhau Sindia, Govindrao Naik, and Rowjee Master and others were killed by the Maharaja's order, but I was not personally concerned in these matters, which were conducted through the Foujdaree Department Officers, during the *régime* of Bulwantrao Rahoreker, at which time I was not allowed access to the Maharaja. I was taken into favour for my services in connection with Luxmcebae's marriage. Before that time I had been in the Khangee Department for about two years, and knew about the accounts.

The order on the Hoozoor Foujdaree Kamdar to send a pass for arsenic, Dated Bhadurpud Wud, 9th now shown me, is in my handwriting, and is the order which I sent by the Maharaja's direction, as stated in my deposition yesterday, and the words "required for medicine for a horse" were used also by the Maharaja's order, as before stated. The pass for arsenic which I sent for by this order I did not receive, but, as above stated, got the arsenic from the Borah.

Before me,

(Sd.) J. B. RICHEY.

In presence of Captains Segrave and Jackson.

(Sd.) J. B. RICHEY.

30th January.

INTERPRETED by me to Damodhur Punt Trimback Nene, who acknowledges it to be what he stated.

(Sd.) R. G. DESHMUKH, Sub-Judge.

Baroda, 2nd February 1875.

TRANSLATED by R. G. Deshmukh in my presence.

(Sd.) LEWIS PELLY,  
Agent, Govr.-Genl.

Baroda, 2nd February 1875.

### Exhibit D.2.

AMEENA, wife of Sheikh Abdoolla Kiral, age about 40, and ayah to Mrs. Boevey, states:—At the time of the meeting of the Baroda Commission, I was persuaded, much against my will, by Faizoo Ramzan, Residency Chobdar, to visit the Maharaja Gackwar. I went to see him three times altogether. On the first occasion I was taken to the Maharaja by Faizoo, and that was when the Enquiry Commission was sitting. Salim sowar met us at the Haveli, and we all three proceeded before the Maharaja together. We went up three flights of stairs to where the Maharaja was sitting. He spoke to me personally, and begged me to intercede with my madam, Mrs. Phayre, in order that she might use her influence with the Resident in his (the Maharaja's) behalf. I made no promises. After being about half an hour with the Maharaja I left. Faizoo went to his house in the city, Salim remained at the palace, and I came home by myself in a bullock shigram.

I visited the Maharaja twice again; the second time was after my return from Bombay and Nowsaroe, where, on Mrs. Phayre's departure for England, I accepted service with her daughter, Mrs. Boevey, wife of the Assistant Resident. It must have been about a month after my return to Baroda that

I visited the Maharaja on the second occasion. I was then persuaded by the Maharaja's Arab servant, Salim, to go to the Gaekwar, and I was taken by the Residency Naik named Kurreem. The Maharaja and Salim talked to me about *ja'loo* [sorcery], but I remarked that Europeans could not be affected or influenced by such means. My interview with the Gaekwar lasted about half an hour, and I then returned home in the shigram with Kurreem. On this day I received no money, but two or three days after Kurreem Naik called at my house and gave me Rupees 100, stating that Yeshwuntrao Yeola had given Rupees 200, of which Rupees 100 was for him, which he had kept, and the other Rupees 100 for me.

The third time I visited the Maharaja was during the Ramzan. I was then pressed to go by Salim, who fixed the day and time; and I went in company with my servant boy named Chotoo. My husband, Abdoolla, procured a shigram, and Salim met me at the Haveli and took me before the Raja. On this occasion the Maharaja spoke to me with reference to the birth of Luxmeebaee's child, and enquired whether the Saheb and Madam had been talking about him (the child), and if any objection was likely to be raised with regard to his legitimacy. The Maharaja asked me to do what I could in the matter; but I told him that I could not help him. I was with the Maharaja for about half an hour on this occasion, and returned to my home at the Residency with my servant boy about 10 o'clock at night. About two or three days after this visit Salim came to my house at the Residency and gave me Rupees 50. I am quite familiar with the Maharaja Gaekwar's appearance, as I have often seen him during his visits to the Resident; and on one occasion, when the Gaekwar's family came to visit Mrs. Phayre, the Maharaja was in the room when I happened to be called in and made my salaam. He was then sitting quite close, and I saw him distinctly, and it was the same person before whom I was taken and conversed with during each of my three visits to the Haveli.

The Kazi of Chandore, who was in the habit of frequenting the Residency, particularly when the Reverend Mr. Taylor used to be on a visit, informed me about a month before the attempt to poison Colonel Phayre that the Resident's butler, Pedro, and Rowjee, Havildar of Peons, were in great favour with the Maharaja, and that they had agreed to administer poison, but they did not say to whom.

Kurreem Naik also told me, about a month before the attempt to poison the Resident, that he had heard from a person in high position that Pedro, butler, and Rowjee, Havildar, had consented to administer poison.

Taken before,

(Sd.) F. H. SOUTER,

Commissioner of Police.

Baroda, 18th December 1874.

AMEENA, wife of Sheik Abdoolla, and ayah to Mrs. Boevey, is recalled at her own request, and further states:—When I gave my statement on the 18th, I was suffering from fever and was not feeling well, and omitted to mention certain facts which I have now remembered and wish to have recorded along with my first deposition.

On the occasion of my being taken before the Maharaja the third time during the Ramzan, the Maharaja asked me, after other questions, whether it would not be possible to administer something by which the Resident could be brought round to his (the Maharaja's) will. The Gaekwar spoke in cautious and hidden language, but I understood him to be throwing out a feeler to ascertain whether I would consent to administer poison to my master, Colonel Phayre. I indignantly refused, and objected, and told the Maharaja that if he attempted anything of the sort he would get into serious trouble and be ruined. I ex-

\* *Lakh murna, lakhi lakh ka palnawala nai murna.*

This is a very common Oriental idiomistic phrase.

claimed, "it would\* be better that lakhs of people should die than that the supporter of lakhs should come by his death." Salam, who was standing close to the Maharaja at this time, endeavoured to persuade me by kind words and by saying that if I would only do as the Maharaja



wished, I would have provision made for me for the rest of my life, and that my husband should also be taken into service under the Raja.

Taken before,

(Sd.) F. H. SOUTER,

Commissioner of Police, Bombay.

Baroda, 21st December 1874.

### Exhibit E.2.

Rowjee bin Rama, Mahratta, age 24, Havildar of peons on the establishment of the Residency at Baroda, states:—About two months before the Commission sat at Baroda, Salim, Arab Sowar, who was in the constant habit of visiting the Residency with H. H. the Gaekwar, spoke to me and said that the Maharaja wished to see me. I agreed, and it was decided that I should go on the following Sunday and meet him, Salim, at the house of Yeshwuntrao about 8 o'clock at night. I was taken before the Maharaja by Salim and Yeshwuntrao by a private entrance on the side of the Nuzzer Bagh. On being introduced to the Maharaja, he asked me if I would agree to keep him informed of all that went on at the Residency. I consented, and he promised to reward me handsomely and to confer other favours upon me. The Maharaja asked me if I could get the jemadar of peons, Nursoo, to help in this matter also and to visit him. I promised that I would arrange this, as the jemadar was a great friend of mine. I then left the Maharaja, and the following day I spoke to the jemadar and told him of the Maharaja's wishes. The jemadar said that his family was ill, and that he had his duties to attend to, and could not go to the Maharaja at that time. I visited the Maharaja several times again previous to the sitting of the Commission, and on each occasion I went first to Yeshwuntrao's house, and was invariably accompanied by him and by Salim when taken before the Gaekwar. I visited the Maharaja three times while the Commission was sitting, and furnished him with all the information I was able to gather as to the action of the Commission, and of all that was going on at the Residency.

At one of these latter visits I informed the Maharaja that I was about to be married, and that I was without the necessary means. He ordered Yeshwuntrao to remind him of this, and on the following Monday, when the Maharaja came on his usual visit to the Residency, Yeshwuntrao, who accompanied him, informed me that he had got Rs. 500 for me, and told me to come for it. I went soon after in company with one Jugga (a man employed at the Residency to pull the punkah) to Yeshwuntrao's house, where Rs. 500 were paid to me by a carkoon in Yeshwuntrao's presence and before Jugga. Of this money I lent Rs. 100 to Jugga, and made up a silver anklet of the value of about Rs. 100, and the rest was expended on my marriage. One Dajeebhai Kurya got the anklet made up for me.

After my marriage, and a few days after the Commission had left Baroda, Salim Sowar met me, and said that he had got the jemadar all right and willing, and wished to know when I could come in company with him to see the Maharaja. I settled with him to go two days later, which was on a Sunday: the jemadar and I met that night at Yeshwuntrao's house about 8 o'clock. Jugga accompanied me, as I did not like to go by the rear road to the city at night by myself.

From Yeshwuntrao's house we all went to the haveli, where Jugga remained below, and Salim, Yeshwuntrao, the jemadar, and I went up and interviewed the Maharaja. This was the jemadar's first visit, and he consented, at the Maharaja's request, to keep him informed of all that transpired at the Residency, for which promise of favour and liberal reward was held out to the jemadar by the Maharaja. It was then arranged that Salim should from time to time receive and convey information from the jemadar to the Maharaja. I accompanied the jemadar two or three times on his visits to the Maharaja.





the powder into the sherbet two or three times, and I expressed my doubts as to the poison being efficacious. Thereupon the Maharaja said he would give another powder, which Salim produced and handed to the jemadar. The Maharaja said that this would not take immediate effect, but that it would work slowly and surely. We then left, and the following morning the jemadar gave me the packet of poison at the Residency while I was sitting on the form close to the screen and near to where Colonel Phayre used to sleep. A day or two after this I administered the poison in the glass of sherbet which had just been made and placed on the washhand table close to the Resident's writing-desk in his private office room. Colonel Phayre was out walking at the time, and returned about twenty minutes after. I informed the jemadar when he came about half-past 7 o'clock of what I had done. When I visited the Maharaja, the punkahwalla, Jugga, accompanied me from the Camp Bazaar sometimes, but a man named Karbhai more frequently came with me as far as the Haveli. They never appeared before the Maharaja, and I only took them as company, as I was afraid to go so far at night by myself.

The packet of poison which the jemadar first gave me I made into small doses, as directed, and kept the powder in the secret pocket of my cross-belt. The powder taken from the secret pocket of my cross-belt this morning (25th December 1874) is one of the powders made up from the packet given to me by the jemadar, and I used always to keep the powders in the same place. While at Nowsaree I spoke to Yeshwuntrao and Salim, at the jemadar's request, to get some money for him, and they interceded with the Maharaja, who ordered Rs. 250 to be given to the jemadar through Salim, who, at the jemadar's request, paid the money to one of his brothers at Baroda.

Whenever there was any information to send to the Maharaja from the Residency, and I was unable to go to the Haveli myself, I used to write or get Jugga to write at my dictation, and the note used to be taken by the jemadar when he went home at night to the city, and he used to send it on to the Maharaja through Salim. The gold and silver ornaments which I have produced, and valued at about Rs. 420, have been made up from the money which I have from time to time received from the Maharaja.

Taken on the 24th and 25th December 1874, before

(Sd.) F. H. SOUTER,  
*Commissioner of Police.*

*Baroda, 25th December 1874.*

Rowjee bin Rama is re-called, and further states:—

On the occasion when the jemadar and I were taken before the Maharaja in company with Yeshwuntrao and Salim, and it was decided and arranged that poison should be administered to Colonel Phayre, it was carefully explained to me, and I was instructed each time to mix the powder in water first, otherwise I was told that the poison would float on the surface of the sherbet. Accordingly I used to shake the powder up with water in a small phial and pour it into the glass of sherbet. The jemadar knew this, and was aware that I kept the phial for this purpose concealed under a large empty box which stood close to the form on which the peons sat while on duty.

Taken this 26th day of December 1874, before

(Sd.) F. H. SOUTER,  
*Commissioner of Police, Bombay.*

*The Residency, Baroda.*





and waited till the Maharaja's return, when he took me in again and drove me to my house on his way to the Palace. The Maharaja was usually driven by a coachman named Kutansing.

I do not know why it was that the Maharaja put in force measures to poison Colonel Phayre without first waiting to ascertain the result of his kharita addressed to the Viceroy urging his removal.

I never knew that Mrs. Phayre's ayah had ever visited the Maharaja till I heard from him that she had also been taken up and made a prisoner of. It was characteristic of the Maharaja not to divulge to anybody the plots which he used to put in force, and to confine such secrets to those actually engaged.

Taken before

(Sd.) F. H. SOUTER,  
On special duty.

3rd February 1875.

DAMODHAR PUNT's examination resumed 5th February 1875:—

I have stated in my deposition of the 29th January that I procured chips on two occasions by order of the Maharaja. I do not remember the exact dates on which they were obtained, but as well as I recollect about a week intervened between the two occasions when I procured them.

The sums of money which have been entered in the accounts of my department as having been paid to Yeshwuntrao and Salim under the head of fruit, fireworks, &c., represent the amounts which were paid by me in obedience to a standing order of the Maharaja for the purpose of bribing Rowjee, Nursoo Jemadar, and other servants at the Residency.

It was no part of the duties of Yeshwuntrao or Salim to purchase fruit or fireworks for the Maharaja.

The Maharaja and Salim both told me that the details of the plot to poison Colonel Phayre had been personally planned by the Maharaja himself, and the execution of them arranged in his presence by Yeshwuntrao, Rowjee, Salim, and others.

The written information which the Maharaja had arranged to obtain through Rowjee of all that transpired at the Residency used to be delivered to the Maharaja by Salim, and either Wasantram Bhau or I used to read them to him, and the papers were immediately destroyed.

The two sums of Rupees 25,000 and 20,000 paid to the Calcutta Baboo have been entered in my books as having been paid to Bhikoo (a kept woman of the Maharaja's) and to the relations of Luxmeebaee.

I am aware that while Bulwuntrao Rahoorkur held the office of Deputy Dewan he was the Maharaja's principal counsellor in all his wicked designs, and it was he who took the principal part in bringing about the poisoning and murder by other means of Govind Naik, Rowjee Master, and Bhow Scindia.

I have stated above that it formed no part of Yeshwuntrao's or Salim's duties to purchase fruits, fireworks, &c., but I now remember that on one occasion Yeshwuntrao did bring some fireworks, either from Bombay or Ahmedabad, and this was about the time of the "Dewalee," 1873.

The orders and vouchers in Mahrattce lettered from A to F, and each bearing my endorsement, are the original documents and authority under which the sums shown in each were paid to Yeshwuntrao under the Maharaja's instructions for the purpose of bribing the servants at the Residency and others. Those papers lettered from G to Q show sums of money similarly paid to Salim for the same purpose.





the sales of the diamonds were entered to be removed and fresh pages substituted. The three books now before me (lettered A, B and C) are those that were thus tampered with.\*

The price that I was to receive for the diamond chips was Rupees 6,270 of Baroda currency, and on account of this sum I was paid Rupees 3,000 by Nanajee Vithul, which has been credited at pages 10 and 24 of the day book as having been received from one Shivchund Khushal. A portion of the above sum of Rupees 3,000 was counted out and paid to me by Nanchund, Shroff of the Doomala villages.

Taken before

BARODA, }  
6th February 1875.

(Sd.) F. H. SOUTER,  
On special duty.

Note by the Secretary—

\* In Exhibit I 2 the words are "I produce the books now bearing the marks A. B. and C."

EXHIBIT I.2. is the above deposition in Gujerathi.

ON EXHIBIT I.2. the following endorsements occur :

*In Vernacular.*

Hemchand Fatechand. His signature in his own handwriting. 6th February 1875.

Read the above statement which is correct as given in writing the day before yesterday in the presence of Mr. Souter. 8th February 1875.

Hemchand Fatechand. This signature in his own handwriting.

*In English.*

The above statement has been read over, acknowledged as true and signed by the deponent Hemchand Fatechand in my presence this 8th February 1875.

BARODA, }  
8th February 1875.

(Sd.) LEWIS PELLY,  
Agent, Govr.-Genl., & Special Commr.







who told the lies thought that they would here find an easy audience who would believe everything that these dirty wretches swore against a man who was under the ban of Government, and this Court knows right well it is not a peculiarity of the country of India how when a man is down, and when he is supposed to be under the ban of power and it is thought he may never rise again, the dirty curs surround him, spring up and yelp and bark, and how their miserable tongues convey all the miserable slanders they are able against a victim whom they suppose is prostrate. My Lord, while reflecting on these things, the story which has been told here brings forcibly to my mind one of the most disgraceful passages in our history—where a weak King and an excited populace, assisted by corrupt judges, listened to stories equally incredible, listened to tales equally absurd, scorned anything like reasoning, applied nothing like judgment, listened to everything that was stated, and apparently believed it, and allowed many an honorable and upright gentleman to be hounded by perjury and fraud to the scaffold. It reminds me of those days when Oates and Dangerfield and the crew of villains who surrounded them invented every lie which came to their mind, and omitted these lies in a court of justice, and were listened to because those to whom they told the lies had no independence, and were afraid to act against the opinion of the monarch and the feelings of the people. But again I have been thinking whilst this case has been progressing that in this country there is a belief amongst certain sects in the doctrine of transmigration of souls, and when I have heard Rowjee and the other persons who have been called here—Nursoo and the others—I could not help dreaming to myself that possibly, if the ideas of these sects have anything of truth in them, at this moment we have the souls of Dangerfield and Oates before us, hidden in the bodies of the perjured witnesses, who have dared to give evidence before an intellectual and honorable tribunal. My Lord, I hope—indeed I am sure—that you will believe that it is no mock modesty on my part when I say that I enter upon a discussion of this case with a feeling of such heavy responsibility that it almost destroys my powers of reasoning with the clearness I should have desired to put before this tribunal, constituted as the present is. I cannot divest my mind—it may be a wrong feeling—a feeling not appreciated probably by many—I do not mean upon the bench, but by many of my hearers—but I cannot divest myself of a strong feeling of sympathy for that unhappy Prince, and my mind and powers are overladen with the weight that rests upon me, having more or less his fate in my hands, and possibly—I do not say probably—because I believe without a word of mine this case will be disposed of as I could desire, and, as I believe, in the cause of justice and truth. But still it may be upon me that some matters rest which may have a more or less effect, and I do feel the weight of the responsibility cast upon me, and an apprehension of being unable to perform the duties I have undertaken. I have only to make this observation upon the subject. The matter rests entirely upon my own feelings. From the time I have had the honor of addressing the Court, I have met with nothing but a desire exhibited by the keenest attention to investigate the truth, and I have met with nothing but assistance even where it was possible. I might have trespassed upon their kindness, and I feel that upon me, and me only, rests this matter, and I have had no complaint to make since the subject has come into this Court. I have had every facility afforded me, and with these facilities I propose to address the Court. From this time I will endeavour to do so with calmness, advancing to them solely what I deem to be argument, because I hope to be able to impress my feelings upon the Commission;—in my conscience I believe if I can only succeed in placing before this Commission the matter as it has been impressed upon my own mind, there will not I believe be a dissentient opinion as to the decision which will be arrived at. It is not often, my Lord, that an advocate dares to express such confident opinions, but I am assured the Court will feel that I intend no disrespect to them, and moreover if the decision should indeed be adverse, I shall simply feel that my judgment has been wrong, that my thoughts have been erroneous, that my conclusions have been led away possibly by my feelings. But

which nevertheless are my feelings, and my only hope and prayer is that I may be enabled to convey that which is upon my own mind in clearness to the minds of those whom I have the honor to address. My Lord, the Proclamation by His Excellency the Viceroy, as has been pointed out, has limited the scope of this enquiry. It is particularly directed that no extraneous matters should be introduced. It is anticipated that the two questions that have been submitted to you, namely, whether or not there has been an illegal tampering with certain servants of the Residency, and whether or not the graver crime imputed to the Gaekwar has been committed—are the two questions which this Commission is called upon to apply their minds to and to express an opinion upon. I refer to this because it is impossible not to feel that the Gaekwar has been surrounded by, or enveloped I should rather say in a cloud of what as far as I know is, calumny. I am not here with any power to know of his former transactions, or aught of his former life. I have not sought, and I do not possess information upon the subject. I can well imagine—one's reading at all events gives one an insight into those who are occasionally governing territories of this description. One knows how they are brought up. One knows how little of independence they possess, how their thoughts are more or less controlled by others, and I believe I am right in saying that there were unfortunate circumstances in His Highness' life which made him more than usually dependent on others, and gave him less opportunity of acting for himself and governing in those matters in which he had a more immediate concern. It is not uncommon, unless a Prince is indeed very acute and unless he is also very determined—it is not uncommon—I will not say merely in this country, but in every country in the world—for Princes to be surrounded by the vilest of servants—men who are plundering them, men who are deceiving them—men who are tricking them—and yet men in whom they place their confidence. My Lord, I only refer to that for the purpose of founding this observation. Do not let us be too hasty to fasten upon the man's heart, his judgment, or his mind transactions, if there be any, which may have emanated from his servants and over which he may have had but little control. I make no further observations upon this point. I think it will not be felt by the Commission that it is an improper one to have been made, although it is not with reference to that which is more immediately in issue, and although, when I come to point out what is the real nature of this case, it will not be, my Lord, unimportant to ascertain by whom the Gaekwar was surrounded and who were the persons influential in his household. But I wish rather to convey—perhaps, addressing this tribunal I ought not to do so—but it is an argument that is addressed to the highest and to the greatest—whoever is mortal, is subject to mortal prejudices and feelings, and it will not be considered disrespectful on my part when I earnestly implore those Members of the Commission who may have known something of former transactions on the part of the Gaekwar, and who may for aught I know have formed certain opinions upon those transactions—I am sure it will not be felt any disrespect on my part, if I implore them earnestly, as a duty to the Gaekwar, as a duty to their country, as a duty to common justice, to dismiss every consideration of that kind from their minds—to start free and clear from the point to which His Excellency the Viceroy has directed your attention, and from that point say,—is there any case made out? The importance of this enquiry of course is very great. It is not for me to contemplate political consequences. I am quite sure, from the course that His Excellency the Viceroy has taken in this matter, that he is careless of political consequences, that he has desired to exhibit to the civilised world that the kingdom of India can be governed by honour, and that questions between the Government and those who may be supposed either to be antagonistic to or somehow in the way of the Government—that such questions shall be determined in such a manner as shall give satisfaction to civilization—and he has appointed for that purpose a tribunal to whom it is impossible not to look up. The Native Princes, acquainted with the habits of their own order, I shall hereafter appeal to upon certain evidence that has been given during



the progress of this case, and endeavour to obtain their assent to a proposition that I shall make, that the story stated is, upon the face of it, incredible. To the Native Princes I shall appeal as having at this moment the power and authority placed in their hands, and a belief reposed in their truth and in their knowledge—the exercise of which power will have to be answered for to the length and to the breadth of India. To those who are my own countrymen I have only to say, I expect and know I shall possess that assistance and that fair consideration that ever comes from an honorable English gentleman, and I care not who the presiding officer of this Commission may be, provided he is a judge of England, because the very term judge of England means independence; and no such thing as wavering from the truth, or yielding to power, or acting except under the virtue of strong convictions, strong belief, and independent feeling ever enters into the mind of any of those whom I am proud to call my countrymen—of any of those to whom the entire world look up as being free from anything like imputations of ever leaning to the right or to the left, and who as far as their judgment enables them go straightforward, whatever might be the interests that were at stake, whatever might be the importance of the determination, whomsoever it might injure, whomsoever it might benefit. Under such circumstances I consider I am indeed fortunate in the tribunal I have the honor of addressing—and while I doubt my own powers and ability in placing the matter as I could wish before them, I believe, and the world believes and looks to them with implicit and absolute reliance, in their integrity as well as their knowledge and their judgment. Now, my Lord, in dealing with this case, the early evidence, as it will be in the recollection of your Lordship, applied to tampering with the witnesses. I propose, however, to postpone the consideration of the matters connected with that particular charge and to deal with the evidence applicable to the graver charge that has been made against the Gaekwar. I think that will be more convenient for one or two reasons. In the first place, the charge of poisoning, or attempt to poison, involves in many of its details the necessity of considering the evidence connected with the other charges and the nature of those other charges, and I think that a great deal of time will be saved by taking the earlier charge first, and I am bound also to state in doing that I am unable to bring my mind down to the level of the other charge, which I scarcely appreciate. It appears to me—comparatively at all events—trumpery and trivial. I feel some difficulty also in understanding the exact nature of it, or its exact legal bearings, but I shall when I come to consider it endeavour to obtain the sanction of the Commission for the view I take upon the subject. In the meanwhile I shall deal—I propose to deal—with the graver charges and upon that, it appears to me, that it is desirable that I should make one or two general observations. With regard to the nature of it, I shall have to enter into a good deal of detail and particularity. But there is one observation that it occurs to me that I am entitled to make. I have already referred to the police. I find that the police are dealt with in different books connected with the law of this country, evidently upon the foundation of great doubts arising as to their testimony. I believe I am right in saying that within certain jurisdictions—I do not go into details of such jurisdictions—that a confession made to a policeman is not receivable in a court of justice in any instance whatever, unless somebody was present at the time to corroborate it. So an uncorroborated confession of a person to a policeman would not be received. A confession to a policeman, as I understand, would not be received at all. There are also provisions in other Acts of Parliament (I believe I am speaking correctly upon the subject), by which policemen are forbidden to accompany witnesses to a court of justice. It seems that the Legislature and the Courts are fearful of the influences that the police are likely to have upon these witnesses. Laws of that kind do not apply here. As far as I see there is no law whatever governing the police, or what they do. As far as I can see, they are entitled to do anything. They appear to me to have unlimited power; there does not seem to be any judge,

any magistrate, who can control them—what a policeman chooses to do, he does ; and in the present case I do not know how many—but a vast number of witnesses—have been detained in custody for the purpose, as they say, of investigating this charge. Now such an unlimited power undoubtedly creates—and it is necessary that it should create—a very great amount of terrorism : and you know no man can call his house or his person his own when a policeman is able at any moment to take him into custody and hold him whenever he chooses for any time he pleases, and there is no remedy in any way—no magistrate can interfere or does interfere, and he has no power whatever either to obtain redress at the time or compensation afterwards. It is the law, I presume, of the land. It is unquestionably the practice at Baroda. We have seen it in numerous instances, and we have seen the mode in which the police have acted with regard to different persons whose evidence was given in this case. In many instances I shall have to dwell upon facts connected with the police.

But there is one general observation which appears pertinent to this case, and I shall be glad to fix it upon the minds of the Members of the Commission—it appears to me to be a most monstrous thing and calculated to lead to the gravest injustice—I believe that I shall show in the present case that it has led to the gravest injustice—that a police officer should not only be the person getting up the case, doing all he can to bring it home to the person who is suspected of the charge, but that he also should have the power of taking the depositions, and that those depositions should be capable of being used against a person upon the subsequent enquiry or trial, whatever it may be.

Human nature is not less so because it inhabits the mind of a police constable, and a man who is hunting something down gets a keen desire to catch it—and sometimes if he cannot get at it by fair means, he will go a little out of the way and obtain it by foul. It is not right that that which is a judicial document, and intended to govern judicial minds, should be the act of a person who has a strong, a naturally strong, partisan feeling in the matter under discussion, and I think I shall be enabled to show that this observation that I have made is singularly pertinent in the present case upon referring to some of the depositions that have been taken, and I cannot help saying—and I shall give my reasons hereafter for making the assertion—that these depositions are not warranted by what took place, that they have been unfairly obtained, and that in many instances they do not represent in reality what was said, and that in point of fact they do not in any way whatever convey the truth as was intended even in the mass of falsehoods, because these depositions contained that which the witnesses themselves did not intend that they should represent. I think I shall be enabled to show this in a variety of instances, and that the observation that I have made upon these depositions will show that they are not to be credited. I myself treat them as being instances coming from a source more or less tainted with suspicion. Now, my Lord, there is another matter ; it is a general one, and upon that I must rather address the President of this Commission than address the others, except so far as some of the observations will be mere ordinary common-sense observations which they shall be, as far as I can make them so, but they involve certain principles of law as well as certain principles of justice. One often meets, when these questions are being discussed in society, a number of people, very worthy people indeed, who say, especially if it is a subject of such great interest as this, “ Oh ! so-and-so, there is no doubt that he is guilty.” And I have no doubt whatever that that will be the kind of observation that I should meet with pretty generally among the English residents at and English visitors to Baroda. This opinion is not confined to one sex, but I should think it is pretty generally extended. But let me endeavour to introduce a little reasoning into the subject and ask, “ Oh ! but why is he guilty ? ” “ Oh ! why you know everybody says he is guilty ; there is no doubt he is guilty.” Then you ask, “ Upon what facts do you put it ? ” Then comes the

puzzle. Facts are difficult things. And I have often observed that those who have given their opinion upon a particular subject dogmatically, have very little knowledge of the matters upon which these conclusions are formed. Belief, I apprehend, cannot be formed by mere intuition—such belief as ought to govern the minds of courts of justice must be a belief founded upon facts. Now with regard to the facts—there, again, there is very often a very great mistake. People treat mere assertions as being facts without investigation, and without enquiry, and without analysis. But there is moreover a class of facts, and what may be dealt with as assertions, and which may also be said to be facts that frequently come before courts of justice, and which have had the attention of very great and learned men applied to them for the purpose of dealing with them in a fair and judicious manner,—I mean those statements that are made by accomplices—the statements that are put forward by persons who admit themselves to be parties to a crime, and I am extremely anxious in this case that the position of persons of that kind should be thoroughly understood; and I apprehend that I am not wrong in saying that no court constituted under British law will receive the evidence of an accomplice without confirmation. I am not unaware—and I should like to exhaust this subject, which I think will be an important one, and one which I shall not probably allude to again—that there is no law to prevent a person being condemned by the evidence of an accomplice alone; but there is springing up a custom, as much honored as the law itself, that judges in directing juries expressly direct them—and it would be a misdirection if they omitted to do so—that upon the evidence of an accomplice alone no person can be put into peril, or have his liberty or his life imperilled. That proposition is a simple enough one, perfectly intelligible, and I fancy so completely admitted that I need not labor upon it, but it will be well appreciated by the learned Chief Justice that there is a more important question subsidiary to that one, and that is, what is the nature of the confirmation that can with propriety be received to implicate a person charged? That is a question not of less importance, but it is a question undoubtedly of more difficulty. It requires clear heads and clear minds to deal with that question. I propose to make some observations upon it, and submit not my views, but I believe the views of all lawyers upon the subject. Corroboration must be something that implicates, however slightly, the person charged with the statement of a witness—it must bring in some way or another the accomplice and the accused together. It would be confirmation supposing there was any writing in the handwriting of the accused in which some of the statements made by the accomplice were alluded to, and although it might be very slight confirmation, it would be confirmation of a kind that could not be rejected. The confirmation that is simply supporting the assertions of the accomplices themselves as to their own acts, independent of the accused, away from the accused, out of the presence of the accused, and not shown to be within the knowledge of the accused, is no confirmation whatever. To put the matter broadly, even if you could get (and that seems to be difficult) a respectable witness into this case who had seen Rowjee put the poison into the glass of Colonel Phayre, if he did put it in, would be conclusive against Rowjee, but it would be no evidence whatever against the Gaekwar. I put that broadly because it makes the proposition that I have submitted to the Commission perfectly intelligible, and it is an observation that I think the Commission will find follows every witness in this case, and follows all the evidence that has been given in this case. I think that I shall demonstrate that that confirmation that is said by the law to be required to support the assertions of accomplices against an accused person is wanting from the commencement to the end; that there is not in point of fact a scintilla of evidence, coming from an uncorrupt witness, which in any way whatever confirms the evidence of the accomplices in this case. I may put illustrations founded upon this case very shortly. Supposing there is a word of truth—and I do not say there was not—in the assertion of Damodhur Junt that he



arsenic from a man named Nurroodeen; supposing Nurroodeen had called and proved the receipt of the arsenic; supposing there was any confirmation whatever, or assuming that there is confirmation that diamond dust or diamonds were obtained from any individual;—that is confirmation if the man himself were under charge—that would be proof against him, but it does not confirm his story against the Gaekwar: and I think this Commission will find, after careful investigation of all the evidence in this case, that from the commencement till the conclusion there is no evidence whatever that introduces the Gaekwar personally or by writing, or by act. There is no independent witness who has put his finger upon one single act of the Gaekwar that in any way whatever confirms the story told by these accomplices. As I discuss the witnesses—which I am afraid I shall have to do at considerable length—I shall have to discuss the details that they give in the shape of confirmation, and I think I shall satisfy the Commission, who have heard my proposition on that subject, that it is at all events a perfectly correct one; and having, as I hope, made myself clear on these topics, I won't trouble the bench further on that subject, but request them to weigh what I have said and say whether or not I have laid before them a proposition that is not only legal, but one which commends itself to men of sense and learning, though they may not have the learning and experience of lawyers. It is sometimes said and sometimes written—said by people whose words are not of much value, written sometimes by people whom one would have supposed knew better,—“Ah, do not let us have any technicalities.” And I think I have seen it stated in relation to this case somewhere that there will be no legal quibbles in this case—it will be tried according to common sense and reason. Technicalities will be entirely excluded. Those who talk that way forget that the technicalities they so much abuse and which govern the practice of courts of justice are the works and experience of great lawyers and great men, of the judgment of those who have considered the question of how the truth is best elicited, and that these technicalities, which are abused by thoughtless and silly people, are in point of fact the bulwarks of their country and the means by which truth is sifted out of lies, and has been created and recognised by the wisdom of ages as the best mode of establishing the truth. I shall not trouble you further with the discussion of a subject which certainly does not possess any features of amusement, but shall proceed to direct your attention to what I consider to be an important feature in the case. I am not going to make any observation or complaint further than this, that I have already made about the position in which His Highness is already placed. Those who have done the acts are responsible for them, and their doings will not affect the judgment of this Commission. I may, however, allude to them, so far as they may be pertinent to this enquiry, and I think you will agree that this observation is fairly pertinent, that the Gaekwar from the position in which he has been placed, from the practical seizure of all his possessions, or, to use the euphemism of the Resident, Sir Lewis Pelly, to their attachment—an attachment of so lasting a character that the Gaekwar has never yet seen the end of it, so that so far as he is concerned whatever word is applied to the subject is extremely immaterial. In relation to all this, I say, he has been placed without means at his command and is under a cloud, and I need scarcely add the observation that the position in which he is placed naturally creates many difficulties in meeting any charge of any nature such as is now preferred against him. I will say no more upon the subject; I think the observation will meet with ready assent, and I do not propose to refer to it again. But I propose, with great submission to the Commission, to dwell upon what has been the conduct of the Gaekwar, and also what his interest would be in this matter. It appears to me to be an extremely important subject indeed. I should venture to say, in a case surrounded, as this case must be admitted to be, by perjury, it becomes extremely important to view that which must in any way whatever be the effect of falsehood, of fraud, and design. I therefore earnestly, and at the same time most respectfully and humbly,

ask the Members of this Commission to consider what the conduct of my client has been from the period which forms the date of this transaction, namely, the conclusion of the Commission that was held before Colonel Meade. It would be irrelevant for me, as it would be irrelevant for this Commission, to consider the enquiry that took place before one thoroughly competent to form a judgment and to assist the Viceroy of India by his views upon that or any other subject. I won't say or suggest, except by a word, that much which appeared upon that Commission may have been applicable to servants, and not directly to the Gaekwar, but I pass away from that. The terminus from which I begin is the end of that Commission. The conduct of the Gaekwar from that period is a matter to which I have to solicit your earnest attention. I have to solicit it with a view of asking you to say that it was not the conduct of a man who was designing and arranging a crime of deep dye, but that it had all the contrary appearances. It is not merely negative;—I wish very much that my observations upon this point should be made with sufficient clearness and force to fix them on your minds. I assert that it is not in human nature that a man should be acting openly in the way the Gaekwar did, and avowedly against the person against whom he was also plotting secretly. It will be obvious to the meanest intellect that people would at once say, "Yes, here is the man that has done it." Ordinary common sense, to give no higher name to it, ordinary cunning, would prevent any course of that kind. I should expect that a man who was about to poison another in the way suggested against the Gaekwar would be all affection with the man he intended to poison, and I should expect to find him destroying any evidence that he desired to do him evil. Instead of that, you find him in conflict with Colonel Phayre certainly, but in a fair, open, and honorable way. He obtained a khareeta from the Viceroy of India—an important document in which the Viceroy, after having considered Colonel Meade's report, after learning all that could be said upon the subject, after deriving all the assistance that could be given to him by experience, ability, and knowledge,—came to the conclusion that the Gaekwar was a person who might under certain conditions be entrusted with the reform of those institutions the bad arrangement and management of which had formed the subject of the preceding enquiry, and he gave to the Gaekwar an opportunity down to the end of the year 1875 to effect the necessary reforms. He therefore had received from the Viceroy the clearest proof that in the Viceregal Court he would meet with fair consideration, with fair judgment, and that he would be given a fair chance. Well, why should he interfere with him? But he finds—and upon that I shall have to observe hereafter—every sort of opposition to the proceedings he was taking and to the endeavours he was making to perform that which had been suggested by the Viceroy. I do not think it is unworthy of remark the observation that was made by Sir Lewis Pelly in his examination yesterday of what his experience of the Gaekwar was. He found him quite amenable to reason; he was able to act with him upon most agreeable terms; he found that he was perfectly ready to do what was suggested to him in the interests of his Government and according to the desire of the Viceroy. And one cannot help making the observation, that there is sufficient and abundant evidence—and I think I shall be able to point out without any unnecessary harshness or unkindness—that Colonel Phayre was about the very worst man who could have been placed in the position he was in; that he was in his conduct most injudicious, and that the Gaekwar had most reasonable ground to complain of the conduct he pursued. One little incident is enough for me, and I think I shall have to dwell more upon this hereafter. You, Gentlemen of the Commission, can do what I cannot;—you can realise the native mind and the native reason, and I ask you—and I think you will agree with the comment I am making—could there be anything on earth more injudicious than for Colonel Phayre to show himself in daily and hourly intercourse with the very bitterest enemy the Gaekwar ever